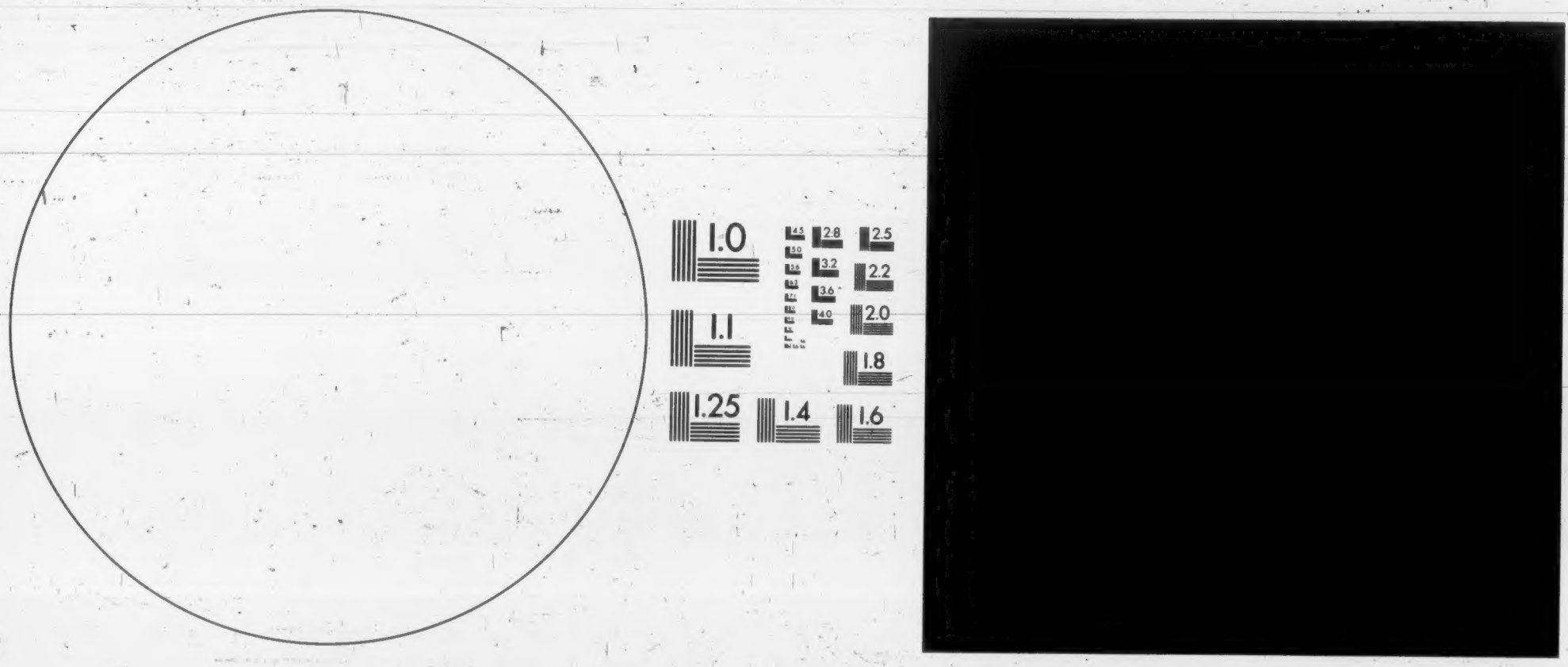
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APPLICATIONS FOR ENROLLMENT OF THE

COMMISSION TO THE FIVE CIVILIZED TRIBES

1898 - 1914

ROLL 243

CHEROKEE BY BLOOD 9742 - 9839

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

WASHINGTON: 1983

Cher. 9742

Joseph F. Barger

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I.T. September 18th, 1900.

IN THE MATTER OF THE APPLICATION OF JOSEPH F. BARGER FOR THE ENROLLMENT OF HIMSELF, HIS WIFE AND ONE CHILD AS CHEROKEE CITIZENS.

The said Joseph F. Barger, being duly sworn by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Joseph F. Barger.
Q How old are you? A Twenty-five.
Q What is your post office address? A Foyl.
Q What district do you live in? A Cooweescoowee.
Q For whom do you apply for enrollment? A For me and my wife and one child.
Q Are you a recognized citizen of the Cherokee nation by blood? A Yes, sir.
Q Whatdegree of blood do you claim? A One-eighth, I think.
Q What is the name of your father? A William Barger.
Q Is he living? A No, sir; he is dead.
Q What is the name ofyour mother? A Caroline.
Q Is she living? A Yes, sir.
Q What is the name ofyour wife? A Lulu.
Q Is she a white woman? A Yes, sir.
Q What was her name beforeyou married her? A Lula Wilson.
Q When were you married? A It will soon be three years.
Q You present a certificate of marriage certifying that you were married to one Miss Lulu Wilson, a white person according to the laws of the United States on the 5th day of April, 1898. What is the name ofyour child. A Maggie.
Q How old is she? A Fourteen months.
Q Have you proof of its birth? A (No response)
Q Is that the only child? A Yes, sir.
Q Is this child alive and living with you? A Yes, sir.
Q Have you been admitted to citizenship by the Cherokee Council? A Yes, sir.

THE COMMISSIONER: You present what purports to be a ~~certified~~ certified copy of an act readmitting Caroline Barger to citizenship and her five children. Among the name of said children I find the name of Frank Barger. Said certificate being signed by L. P. Bell president of the senate, R. T. Hanks, Clerk of the senate, concurred in by the House November 17th, 1896. Singed by Alex. Hawk, Speaker of the Council, by C. S. Lipe, Clerk.

Q Are you the identical Frank Barger mentioned in this certificate? A Yes, sir.
Q You go by the name ofFrank? A Yes, sir.
Q Your name is Joseph Frank? A Yes, sir.

1896 Roll, page 115, No. 496, Frank Barger, Cooweescoowee District.

THE COMMISSIONER: The name of Joseph F. Barger is found upon the Census Roll of 1896. He presents what purports to be a certificate of admission. The same is not under seal of the Cherokee Nation, and not properly certified, and cannot be re-

ceived--and said certificate shows that the same was not approved by the chief. Final judgment as to his enrollment will be suspended and his name will be placed upon a doubtful card awaiting proper proof of his admission. The applicant also applies for the enrollment of his wife Lulu. The certificate of marriage which is presented certifies that he was married to her, a white person, in the year 1898, too late under the laws of the Cherokee Nation for her to be recognized as an intermarried citizen; consequently the application for the enrollment of his wife Lulu will be refused. He also presents satisfactory proof of birth as to Maggie C., a child fourteen months old. Final judgment as to the enrollment of the said Maggie C will also be suspended, and her name will be placed upon a doubtful card with that of her father.

The undersigned, being duly sworn, states that as stenographer to the commission to the five Civilized Tribes he correctly recorded the testimony and other proceedings in this application, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 25th day of September A. D. 1900.

Commissioner.

B-

FILED

SEP 18 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

(25)

Date SEP 18 1900 1900.

Name Joseph H. Barger Foyil, I.T.

District COOWEESCOOWEE. Year 1896 Page 115 No. 490

Citizen by blood (Yes) Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

1 Maggie V. Barger Dist. Year Page No. Age 4 mo

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

I'm 1896 roll as Frank Barger
& Applicant supplies

Proper proof of admission to be supplied

D327

6327

C-

20

IN RE

Application for Enrollment of

INFANT CHILD

Maggie D. Barger

as a citizen of the

Cherokee Nation.

Approved SEP 18 1900, 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 18 1900

ACTING CHAIRMAN

Card No. 327

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Maggie C. Barger, born on the 20th day of June, 1899.
(Here insert name of child.)

Name of Father: Frank Barger, a citizen of the Choctaw Nation.

Name of Mother: Lulu Barger, a citizen of the Choctaw Nation.

Post-office, Foyil

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Cooweescoowee District. }

I, Lulu Barger, on oath state that I am 18 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Frank Barger, who is a citizen, by Blood, of the Choctaw Nation; that a Female (male or female) child was born to me on the 20th day of July 1899; that said child has been named Maggie C. Barger, and is now living.

Lulu Barger.

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 14th day of September 1900.

John McTaggart NOTARY PUBLIC.

January 17th 1903. Expires 9.7.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Cooweescoowee District. }

I, Ben S. Linsley, a Physician on oath state that I attended on Mrs. Lulu Barger, wife of Frank Barger, on the 20th day of June, 1899; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Maggie C. Barger.

B. S. Linsley M.D.

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 14th day of September 1900.

John McTaggart NOTARY PUBLIC.

B. M. Albert
Esq
Jahlquah
I. T.

SEP 19 1900

Sen Bill No 20

An act Naturalizing Caroline Bonyer to citizenship

By the National Council

Be it enacted that Caroline Bonyer and her four Children Samuel John Charles Frank R and Edward be and they are hereby invested to all the rights and privileges of Choctaw Citizenship by blood

R D Hanks
Clerk of the Senate

[illegible]
Pres of the Senate

Concurred in by the House on this 1st day of Nov 1886

Allen Hank
Speaker of Council

C. C. [illegible] clerk
Council

A true Copy from the original

R D Hanks
Clerk of the Senate

Nov 27/86.

1 20 D327

IN RE

Application for Enrollment of

INFANT CHILD

Emma Minnie Barger

as a citizen of the

Cherokee Nation.

Approved, January 24 1902

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 24 1902

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Emma Minnie Borger, born on the 16th day of December, 1901.
(Here insert name of child)

Name of Father: Joseph F. Borger, a citizen of the Cherokee Nation.

Name of Mother: Lyddia L. Borger, a citizen of the Cherokee Nation.

Post-office, Hoyil I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Cooweescoowee District.

I, Lyddia L. Borger, on oath state that I am 19 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Joseph F. Borger, who is a citizen, by Blood, of the Cherokee Nation; that a Female (male or female) child was born to me on the 16th day of December 1901; that said child has been named Emma Minnie Borger, and is now living.

Lyddia L Borger

WITNESSES TO MARK.

(Must be Two Witnesses.) J F Borger
L W Badger

Subscribed and sworn to before me this 23 *day of* December *1901.*

Edward Byrd NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
District.

I, B. S. Tinsley, a Physician, on oath state that I attended on Mrs. Lyd'd L. Borger, wife of Joseph F. Borger, on the 16 day of December, 1901; that there was born to her on said date a Girl Baby (male or female) child; that said child is now living and is said to have been named Emma Minnie Borger

B. S. Tinsley M.D

WITNESSES TO MARK

(Must be Two Witnesses) J F Borger
L W Badger

Subscribed and sworn to before me this 23rd *day of* December *1901.*

Edward Byrd NOTARY PUBLIC

My Com Exp Feb 27 1904

Cherokee D 327

An act readmitting Caroline Berger to Citizenship.

Be it enacted by the National Council: That Caroline Berger and her five children, Samoul, John, Charles, Frank and Edward, be and they are hereby readmitted to all the rights and Privileges of Cherokee citizenship by blood.

November 16 1886.

R. T. Hanks, Clerk of Senate.

L. B. Bell, President of Senate.

Concurred in by the House on this the 17th day of November 1886.

C. C. Lipe, Clerk of Council

Alex. Hawk, Speaker of Council.

Approved Nov. 21st 1886

D. W. Bushyhead, Pl. Chief.

Executive Office Cherokee Nation.

Tahlequah, I. T.

I, B. W. Alberty assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of laws passed by the National Council and approved by the principal Chief in the year 1886 being a part of the records of this office and are in my custody.

(S E A L) Given under my hand and the seal of the Cherokee Nation this the 29th day of September 1911.

(Signed) B. W. Alberty
Assistant Executive Secretary
Cherokee Nation.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the official copy on file in this office:

Lilla Hubbard

D. 127.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 26, 1902.

In the matter of the application of Joseph P. Berger for the enrollment of himself and children as citizens of the Cherokee Nation.

Applicant present in person.
Cherokee Nation represented by W. W. Hastings.

COMMISSION: Do you submit this case to the Commission for final consideration? A Yes, sir.

The applicant and the representatives of the Cherokee Nation present submit this case to the Commission for final consideration, and the same is ordered closed and reported for final decision based upon the evidence now filed.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur G. Croninger

Subscribed and sworn to before me this 26th day of February, 1902.

Commissioner.

D. 327.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., May 12, 1902.

In the matter of the application of Joseph F. Barger et al for enrollment as citizens of the Cherokee Nation.

SUPPLEMENTAL TO D-327.

Applicant present in person.

COMMISSION: The applicant in this case was notified by registered letter April 30, 1902, to appear before the Commission at its offices in Muskogee, Indian Territory, on the 12th day of May, 1902, and introduce further testimony as to the residence of himself and family in the Cherokee Nation. He this day, to wit the 12th day of May, 1902, appears, and the following proceedings were had.

JOSEPH F. BARGER, being first duly sworn, testified as follows:

COMMISSION: What is your name? A Joseph F. Barger.
Q How old are you? A Will be 27 this fall, October.
Q What is your postoffice address? A Foyil.
Q You have heretofore applied to the Commission for the enrollment of yourself and family as citizens of the Cherokee Nation? A Yes, sir.
Q You are a Cherokee by blood or a white man? A Cherokee by blood.
Q Your wife a Cherokee by blood? A No, sir, she's a white woman.
Q Where were you born? A Born in Kansas.
Q Where? A Kansas.
Q When did you come to the Cherokee Nation? A Why it's been as I believe it was.
Q Have you lived here continuously since that time? A Yes, sir.
Q Have you been out of the Nation since then? A Why not only on trips. I have worked up in Jackson County, Missouri, one year, one summer rather.
Q What summer was that? A Let's see, I believe about seven years ago.
Q Is that the last time you have been out of the Territory for any length of time? A Yes, sir, for any length of time.
Q Have you ever made your home since out outside of the limits of the Territory? A No, sir, not only that season I was working up there, my home wasn't there, my home was here.
Q When were you married to your wife? A In 1898.
Q She has lived here continuously ever since that time? A Yes, sir.
Q Was your children in the Cherokee Nation? A Yes, sir.
Q Has it always lived here? A Yes, sir.
Q Where were you living in June, 1898, four years ago? A In June, let's see, four years ago I was living with my mother.
Q Where? A On Verdigris River.
Q In the Cherokee Nation? A Yes, sir.
Q You have lived here since that time continuously? A Yes, sir.

[illegible] Cunningham, being first duly sworn, states that he

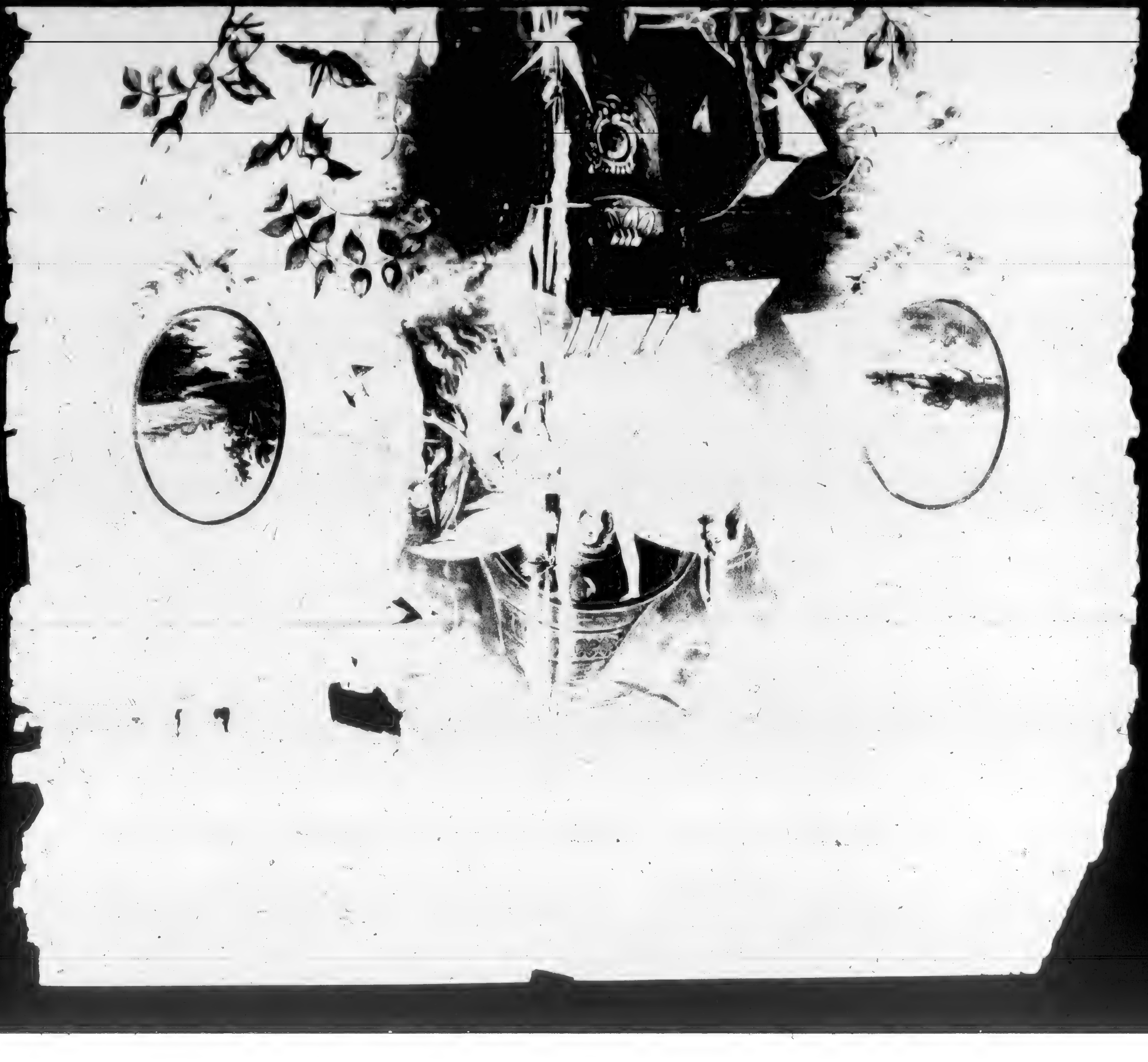
stenographer to the Commission to the Five Civilized Tribes he reported the proceedings and testimony in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur G. Groninger

Subscribed and sworn to before me this 12th day of May, 1902.

Notary Public.


EPARTMENT OF THE INTERIOR
MISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUN 4 1902
ACTING CHAIRMAN



This Certifies That

United in Matrimony according to the [illegible]
at Pawtucket
A. D. 1928

Witnesses [illegible]

Cherokee D 327.

T.L.L.
L&R

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Joseph F. Barger for the enrollment of himself and his two minor children, Maggie C. and Emma Minnie Barger, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on September 18, 1900, Joseph F. Barger appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of himself and his minor child, Maggie C. Barger, as citizens by blood of the Cherokee Nation. The application included his wife, Lyddia L. Barger, but, as she is differently classified, she is not embraced in this decision. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on May 12, 1902.

The evidence shows that the said Joseph F. Barger, a Cherokee by blood, was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on November 21, 1886. The said Joseph F. Barger is identified on the Cherokee Census roll of 1896. Two children, Maggie C. and Emma Minnie Barger, were born to Joseph F. Barger and his lawful wife, Lyddia L. Barger, on July 26, 1899 and December 16, 1901, respectively, and proper proof of their births has been furnished this Commission.

The evidence further shows that the said Joseph F. Barger has lived in the Cherokee Nation ever since the year 1886, except during one summer, about the year 1895. It is considered that his two children, Maggie C. and Emma Minnie Barger, have lived continuously in the Cherokee Nation, with their parents, since their birth.

It is, therefore, the opinion of this Commission that Joseph F. Barger, Maggie C. Barger and Emma Minnie Barger, should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902.

C INDEXED. 0327

COMMISSION TO FIVE TRIBES.			
No.	Received	ANSWERED	
		Book	Page
1024			
1902	JAN 23 1902		

Barger, Joseph F.,

(No address)

Jan. 22, 1902.

CHEROKEE.

Gives his wife's full name.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 23 1902

ACTING CHAIRMAN.

January 22 1902

In reply to your
letter my wife name
is Lydolia L Barger
I thot I gave her
full name to you
when I enrolled
at Muscogee

Cherokee D-327.

Yours Truly

Joseph F Barger

Muskogee, Indian Territory, February 6th, 1902

Mr. Joseph F. Berger,

Foyil, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and two minor children for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 25th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-327

Register.

Acting Chairman.

G D327

COMMISSION[illegible] TIDES

FILED
FEB 8 1902

ACTING CHAIRMAN

Cherokee D 367

Muskogee, Indian Territory, April 30, 1902.

Mr. Joseph F. Harper,
Foyil, Indian Territory.

Sir:

Upon examination of the testimony in the matter of your application for the enrollment of yourself, wife, and children as citizens of the Cherokee Nation, it is found that your residence in the Cherokee Nation is not established by the evidence.

You are required to appear before the Commission at its office in Muskogee, Indian Territory, and testify further on this point before May 15, 1902.

You are reminded that this evidence is necessary in the consideration of your case.

Yours truly,

Commissioner in Charge.

Cherokee D 367
Register.

[illegible] 9, 1[illegible]

Mr. [illegible]

[illegible], Indian Territory.

Sir:

You are required to furnish this Commission with the [illegible] of your marriage to your wife, Lydia L. Berger, or a duplicate copy thereof, before June 9, 1902.

You are reminded that this evidence of your marriage is very important in the further consideration of the matter of your application for the enrollment of yourself and children as citizens of the Cherokee Nation.

Yours truly,

Acting Chairman.

In answering refer to
Cherokee D 307
Register.

COPY

Cherokee D 587.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 26 1902, granting the application of Joseph P. Berger for the enrollment of himself and his two minor children, Maggie C. and Rose Minnie Berger, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. #4, 78.

COPY.

Cherokee 3 - 327.

Muskogee, Indian Territory, October 28, 1902.

Joseph P. Barger,

Foyil, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself, and your two minor children, Maggie C., and Emma Minnie Barger as citizens by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge,

Commissioner to the Five Civilized Tribes.

Enclosure C. No. 33.

Register.

£327

Cher 9743
Nellie Highland

Cher 9743

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I.T. September 19th, 1900.

IN THE MATTER OF THE APPLICATION OF NELLIE HIGHLAND FOR THE ENROLLMENT OF HERSELF AND CHILDREN AS CHEROKEE CITIZENS.

The said Nellie Highland, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Question. What is your name? A Nellie Highland.
Q What is your age? A Fifty-nine years of age.
Q What is your post office address? A Vinita.
Q What district do you live in? A Ceoweescoowee.
Q You are a recognized citizen of the Cherokee Nation? A I was born and raised here. I don't know nothing else.
Q Did you ever live anywhere else? A No, sir.
Q What degree of blood do you claim? A Half breed.
Q For whom do you apply for enrollment? A For myself and my children.
Q Is your husband living? A No, sir.
Q Whatwas his name? A Highland, Mike Highland.
Q What was your father's name? A Smith.
Q His first name? A McCoy Smith.
Q Is he living? A No, sir; he is dead.
Q Your mother's name? A Sarah.
Q Is she living? A No, sir; she is dead.
Q Give me the names of your children.
A Sarah Highland, twenty years of age. William Highland, nineteen.
Q When did you say you were married to Highland? A I don't know; it has been a good long while ago.
Q Where were you married? A Married at Fort Gibson.
Q What district were you in twenty years ago.
A I have been living here in Vinita a good long while.
Q Did you ever go by any other name except Highland?
A No, sir; not since I have been married.
Q What was your name before you were married? A Nellie Smith.
Q Did your father die before 1880? A I would not recollect when my father died; I was a small child.
Q What was your mother's name? A Sarah Woodard.
Q Well, they didn't get your name on the 1880 roll, do you know why it wasn't on the 1880 roll? A Yes, sir; I was in the Choctaw Nation at that time.
Q Why didn't you say so then and save a lot of trouble?
A Well, you didn't ask me.
1896 Roll, page 179, No. 2311, Nellie Highland, Ceoweescowee District.
1896 Roll, page 179, No. 2315, Sarah Highland, Ceoweescowee District.
1896 Roll, page 179, No. 2316, William Highland, Ceoweescowee District.
How long did you live in the Choctaw Nation? A Why we staid [illegible]

[illegible]: The name of Nellie Highland appears on

Census Roll of 1896 . On the roll of 1880 her name is not found, and she avers that the reason her name is not on said roll is that she was living in the Choctaw Nation at the time. The children Sarah and William's names appear upon the Census Roll of 1896. She not having made satisfactory proof of her citizenship, and her name not appearing on the roll of 1880, final judgment as to the said applicant and her children Sarah and William will be suspended and her and their names will be placed upon a doubtful card.

The undersigned being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and ofhter proceedings in the above mentioned application for enrollment and that the foregoing is a correct and complete transcript of his stenograph ic notes thereof.

Wm S. McClellan

Subscribed and sworn to before me this 29th day of September A. D. 1900.

Commissioner.

D346

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 29 1900

ACTING CHAIRMAN.

8846

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
SEP 19 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 18 1900 1900.

Name Vinita D. J

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Nellie Highland

District COOWEESCOOWEE. Year 1896 Page 179 No. 2311

Citizen by blood yes '12 Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children.

2 Sarah Highland Dist. COOWEESCOOWEE. Year 1896 Page 179 No. 2315 Age 20

3 William " Dist. COOWEESCOOWEE. Year ..... Page 179 No. 2316 Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

D 346

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., October 15, 1901.

In the matter of the application of Nellie Highland et al. for enrollment as Cherokee citizens;

Supplemental testimony on behalf of the applicants.

Appearances:
Applicant present in person;
J. L. Baugh, Cherokee representative.

McCOY SMITH, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A McCoy Smith.
Q What is your age? A 54.
Q What district do you live in? A Canadian district.
Q Are you a Cherokee citizen by blood? A Yes, sir.
Q Do you know the applicant, Nellie Highland? A Yes, sir, I know her.
Q How long have you known her? A Known her all my life, we were raised right close together.
Q Well, when did you first know Nellie Highland? A When we were children about three or four years old; I knew her mother.
Q Well, what was her mother's name? A Sallie.
Q She living? A No, sir, she is dead.
Q What was her father's name? A McCoy Smith.
Q Is he living? A No, sir, he is dead.
Q Is her father a Cherokee by blood? A Yes, sir.
Q Her mother? A Yes, sir.
Q Did they die before the year 1880? A Yes, sir.
Q Do you know why Nellie Highland's name is not on the roll of 1880? A She was in the Choctaw Nation at that time when the 1880 roll was taken.

Mr. Baugh: How long was she down there, Mr. Smith? A Why she married Highland there at Muskogee, ~~[illegible]~~ along about '78 I think it was, somewhere along about that time, '76 or '78, and I thought stayed there two or three years, and then went from there to the Choctaw Nation; I lived right there close to them.

Q Do you know when she returned? A No, I don't know when she came back.
Q Did they have any property in the Cherokee Nation when they left here? A No, sir, I think not.
Q Well, when they were married were they living in Muskogee, or where were they living? A She was living down on Canadian.
Q Did they go to housekeeping in Muskogee? A Yes, sir, he was working there on the railroad.
Q Do you know what occupation he followed after they went to the Choctaw Nation? A Mining, coal mining.

Commissioner: You know how long she lived in the Choctaw Nation?
A No, sir, I don't know that.

Mr. Baugh: Is there any statement you want to make? A No, I don't know that it is necessary, I have known her ever since I can recollect, I knew her mother and father both.

Commissioner: This will be made part of the record in the case.

FRANK SMITH, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Frank Smith.
Q How old are you? A 36.
Q What is your postoffice address? A Braggs.
Q Do you know Nellie Highland? A Yes, sir.
Q Any relation to you? A [illegible] sir.

Q What? A First or second cousins, brothers children.
Q She is your brother's child? A My uncle's child.
Q What is her father's name? A McCoy Smith.
Q Was he a Cherokee citizen? A Yes, sir.
Q Did he die before 1880? A Yes, sir.
Q What was her mother's name? A Sallie.
Q Was she a Cherokee citizen? A Yes, sir.
Q Both by blood? A Yes, sir.
Q Did she die before 1880? A Yes, sir.
Q Well, where has Nellie Highland been living all her life? A Well she lived there on Goodys Creek until she married.
Q Where was she born? A Born there on the bayou in Illinois district.
Q Do you know why her name is not on the roll of 1880? A No, sir I don't.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 18th of October, 1901.

Commissioner.

Empl. 6-2,7346.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., NOVEMBER 7th, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of NELLIE HIGHLAND, ET AL., as Cherokee citizens, introduced on behalf of applicants:

APPEARANCES:
Attorney J. S. Davenport, for applicant;
Mr. J. C. Starr, for Cherokee Nation.

J. M. LaMAY, being duly sworn by Commissioner Needles, testified as follows on part of the Applicants:
MR. DAVENPORT: What is your name? A J. M. LaMay.
Q Where do you live, Mr. LaMay? A Claremore, Cherokee Nation.
Q How old are you? A 36 years old.
Q How long have you lived in the Cherokee Nation? A All my life except being absent a while--12 years.
Q Where were you living in 1880, Mr. LaMay? A I was living at McAlester in the Choctaw Nation.
Q Did you know Mike Highland during his lifetime? A Yes, sir.
Q Did you know his wife, Nellie? A Yes, sir.
Q Do you know where they were living in 1880? A They were living about McAlester.
Q Were you acquainted with them at that time? A Yes, sir.
Q Did you and Mike Highland work together and live near each other in 1880? A Yes, we worked at the same works and lived neighbors to each other at the time.
Q That was in the Choctaw Nation? A Yes, sir.

Com'r Needles: This testimony will be made part of the record in the original case and filed therewith.

---oOo---

J. S. Rossen, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J S Rossen

Subscribed and sworn to before me this November 9th, 1901.

Commissioner.

-2-

D 344

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 25, 1902.

In the matter of the application of Nellie Highland, for the enrollment of herself and children as citizens of the Cherokee Nation:

Appearances:
James S. Davenport, Vinita, I. T., for applicants;
W W Hastings, for the Cherokee Nation.

The Commission: Is there any statement you desire to make relative to this case Mr. Davenport ?

Mr. Davenport: I want to call the attention of the Commission to the testimony of Joe M. Lahay as to where the husband and wife were living in 1880, showing that they were living in Kreke, Choctaw Nation, in order to account for their absence and their not being on the 1880 roll.

Do you submit the case to the Commission for final consideration ? A Yes sir.

The attorney for the applicant and the representative of the Cherokee Nation submit this case to the Commission for final consideration, and the same is closed, and is reported to the Commission for final decision based upon the evidence now on file.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this February 24, 1902.

Commissioner.

Cherokee D 346

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Nellie Highland, Sarah Highland and William Highland as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on September 19, 1900, Nellie Highland appeared before the Commission at Vinita, Indian Territory, and made personal application for the enrollment of herself and her minor children Sarah and William Highland, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Vinita, Indian Territory, on October 15, 1901, and again at Tahlequah, Indian Territory, on November 7, 1901.

The evidence shows that Nellie Highland, nee Smith, at the time of this application was 59 years of age, and was born in the Cherokee Nation. She is not identified on the Cherokee Tribal Roll of 1880, and gives as a reason therefor that she was living in the Choctaw Nation, where her husband was engaged in earning a livelihood. The children hereinbefore named are the result of her marriage to Mike Highland. With the exception of her temporary residence in the Choctaw Nation, she has resided continuously in the Cherokee Nation. She is identified on the Cherokee Census Roll of 1896, as are also her children Sarah and William Highland, as native Cherokees.

It is, therefore, the opinion of this Commission that Nellie Highland, Sarah Highland and William Highland should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. WILDING,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 6th, 1902

Mrs. Nellie Highland,

Vinita, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and two minor children for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 25th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cy to J. S. Davenport, Vinita, I.T.

Cherokee 2-346

Register.

Yours truly,

Acting Chairman.

E D346

FEB 8 1902

COPY.

Cherokee D 346.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Nellie Highland for the enrollment of herself and her two minor children, Sarah and William Highland, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. C. No. 81.

Muskogee, Indian Territory, October 27, 1902.

Mollie Highland,

Vinita, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself and your two minor children, Sarah and William Highland as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure K. No. 26.

COPY.

Muskogee, Indian Territory, October 27, 1902.

J. S. Davenport,
Attorney for Nellie Highland et al,
Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Nellie Highland for the enrollment of herself and her two minor children, Sarah and William Highland, as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.
Enclosure K. No. 27.

Cher 9744
William T. Sayers

Cher 9744

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., September 19, 1900.

In the matter of the application of William Thomas Sayers for enrollment as a Cherokee by blood; being sworn and examined by Commissioner Breckenridge, he testified as follows:

Q What is your full name? A William Thomas Sayers.
Q How old are you? A 41.
Q What is your post office? A Adair.
Q In what district do you live? A Delaware.
Q Who do you wish to have put on the roll? A Myself.
Q Just yourself? A Yes, sir.
Q Do you apply as a Cherokee by blood? A Yes, sir.
Q What proportion of Cherokee blood do you claim? A About 1/16.
Q How long have you lived in the Cherokee Nation? A 16 years.
Q Were you admitted to citizenship by the Cherokee Commission or Council? A By the Commission.
(Applicant presents what purports to be an official copy of an act of the Cherokee Commission on Citizenship admitting to citizenship on September 16, 1884, William T. Sayers.)
Q That is your name, is it? A Yes, sir.
Q You claim to be the person admitted at that time? A Yes, sir.
(This copy of signed by John L. Adair, Clerk of the Commission, but is without the official seal, and the applicant is desired to procure another copy certified in proper form.)
Q How have you lived in the Cherokee Nation ever since you were admitted to citizenship? A Yes, sir.
Q Give the name of your father? A Abner Sayers.
Q Your father dead or alive? A Dead.
Q Your mother, her given name? A Jennie.
Q She dead or alive? A She is dead.
Q When d d your father die? A In 1874.
Q When did your mother die? A In 1891 I think.
Q Were you in Delaware in 1896? A Yes, sir.
(On 1896 roll, page 528, No. 2734, William T. Sayers, Delaware district.)

The applicant presents a copy of the record showing his admission to citizenship by the Cherokee Commission September 16, 1884, but as it is not in the usual form. He is identified on the roll of 1896. He is desired to supply the Commission with another copy executed under the seal of the Nation, and at present his application will be held under consideration, and be listed on a doubtful card to await more accurate evidence of his admission. He has lived in the Cherokee Nation ever since his admission in 1884.

———o———

Bruce O. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce O. Jones

Sworn to and subscribed before me this the 19th day of September, 1900.

[illegible]
Commissioner.

(This copy of [illegible] signed by John [illegible], clerk of the [illegible] but [illegible] without the official seal, is [illegible] to certify to [illegible] the copy certified is [illegible] form.)

Q Now have you lived in this [illegible] since you [illegible] admitted to citizenship? A Yes, sir.

Q Give the name of your father? A [illegible]

DELAWARE.

Record of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 19 1900 1900.

Name 41 William T. Sayers, Adair D.

DELAWARE.

District ..... Year 1896 Page 3-28 No. 3734

Citizen by blood Yes 1/16 admitted 1884 Mother's citizenship ..... Abner Sayers — -d

Intermarried citizen No. ..... Jennie " — -d

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
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D353

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
SEP 19 1900

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., September 25, 1900.

D. 553.

In the matter of the application of William Thomas Sayers for enrollment as a Cherokee citizen.

Additional testimony.

William Thomas Sayers, being sworn and examined by Commissioner Breckenridge, testified as follows:

Q What is your full name? A William Thomas Sayers.

Q Your age? A 41.

Q Your post office? A Adair.

Q You want to give supplementary testimony in your former application, do you? A Yes, sir.

Q You want to show that you were admitted to citizenship? A Yes, sir.

(The applicant presents an official copy of the records of the office of the Commission on Citizenship, showing that petition was filed September 11, 1884, and submitted September 16, 1884, and that on the latter date sundry persons were admitted to citizenship by the Cherokee Commission, and among them William T. Sayers. This is recognized as an official evidence of the facts stated. As the document concerns the application of other people, it is returned to the applicant.)

———o———

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 25th day of September, 1900.

Commissioner.

P883

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 25 1900

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 20 1902

210.

TRANSCRIPT.

No. 35-

Office of Commission on Citizenship,
Tahlequah, Ind. Terr. Sep. 11- 1896

William T. Sayers,
Vs.
Cherokee Nation.

John Drew, Atty,

PETITION for citizenship filed Sept. 11- 1896.

Submitted Sept. 12, 1896, by both parties.

And now on this the 12th, day of September 1896, comes this case for final hearing, and all the evidence in relation thereto having been heard and considered by the commission on citizenship, It was adjudged by the Commission that the above, William T. Sayers is a Cherokee by blood, he being a nephew of Judge E.A. Scales of the Supreme Court, and son of Jennie Sayers, Nee Scales, the daughter of Joseph and Jennie Coody. Polly Coody was the sister of Chief John Ross,

His descent being such, the claimant is entitled to all the rights and privileges of citizenship in the Cherokee Nation, and should be, and is hereby admitted to the full enjoyment of same, in all respects as a native born Cherokee.

Eli Spears, Pres.
John Lee,
Andrew Young.

Commission on citizenship.

E. Adair, Clerk commission.

Executive Department,
Cherokee Nation,

I, D.W. Cunningham, Assistant Executive Secretary, do hereby certify that the above and foregoing is a true and literal transcript of page [illegible] Citizenship docket of 1896. Now a part of the records of this office.

In Witness whereof, I hereunto set my hand and affix the seal of the Cherokee Nation, this 22nd, day of Sept. 1900.

D.W. Cunningham, Asst Ex. Secy.

C. 553.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 25, 1902.

In the matter of the application of William T. Sayers for the enrollment of himself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 6th that his case would be taken up for final consideration by the Commission on the 25th day of February, 1902, and that he could on said day appear before the Commission and introduce any further testimony affecting his case. Receipt has been acknowledged of the Commission's letter. The applicant failed three times and fails to respond either in person or by attorney and the case is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

Commissioner.

C D 335 C O P Y

[illegible]

[illegible] 38

T R A N S C R I P T.

Office of Commission on Citizenship.

Tahlequah, Ind. Ter., Sep. 11, 1884

William T. Sayers,)
vs) John Drew, Atty.
Cherokee Nation.)

PETITION for citizenship filed Sept. 11, 1884.

Submitted Sept. 16th, 1884 by both parties.

And now on this the 16th, day of September 1884, comes this case for final hearing, and all the evidence in relation thereto having been read and considered by the commission on citizenship; It was adjudged by the Commission that the above, William T. Sayers is a Cherokee by blood, he being a nephew of Judge J. A. Scales of the Supreme Court, and son of Jennie Sayers, nee Scales, granddaughter of Joseph and Jennie Coody. Polly Coody was the sister of Chief John Ross.

His descent being Such, the claimant is entitled to all the rights and privileges of citizenship in the Cherokee Nation and should be, and is hereby admitted to the full enjoyment of same, in all respects as a native born Cherokee.

Eli Spears, Pres.
John Lee,
Andrew Young,
Commission on Citizenship.

John L. Adair Clerk Commission.

Executive Department
Cherokee Nation
Sept. 21, 1900.

I, A. B. Cunningham, Assistant Executive Secretary, do hereby certify that the above and foregoing is a true and [illegible] transcript of page 330 of the citizenship docket of 1884. [illegible] part of the records of this office.

In Witness whereof, I [illegible] set my hand and affix the seal of the Cherokee Nation this [illegible] day of Sept. 1900.

A. B. Cunningham Asst. Ex. Sec'y.

I, the undersigned, do certify as stenographer to the Commission to the Five Civilized Tribes, that the above is a full true and correct copy of the transcript on file in this office.

[signature]

Cherokee B 383

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of William Thomas Sayers as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

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The record in this case shows that on September 19, 1900, William Thomas Sayers appeared before the Commission at Vinita, Indian Territory, and then and there made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation.

At the conclusion of the testimony offered at that time William Thomas Sayers was listed upon a "Doubtful" card to await more accurate evidence of his admission, which evidence has been furnished the Commission. Thereafter, on September 25, 1900, at Vinita, Indian Territory, further proceedings were had in the matter of this application.

The evidence in this case shows that he was readmitted to citizenship in the Cherokee Nation on the 16th day of September, 1884. He is identified on the Cherokee Census Roll of 1896, and has lived continuously in the Cherokee Nation since the date of his readmission, hereinbefore shown, up to and including the date of this application.

The authority of the Commission herein is defined in Par. 1, Sec. 21, of the Act of Congress, June 28, 1898. (30 Stats., 495).

It is the opinion of this Commission that William Thomas Sayers is lawfully entitled to be enrolled as a citizen by blood of the Cherokee Tribe of Indians in Indian Territory, and that the

application for his enrollment as such should be granted, and it is therefore so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tiff, Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BROCKUNIER.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 6th, 1902

Mr. William T. Sayers,

Adair, Indian Territory.

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 25th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-353

register.

Acting Chairman.

D353

FEB 3 1902

COPY.

Cherokee # 393.

Muskogee, Indian Territory, September 30, 1908.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1908, granting the application of William Thomas Sayers for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. C. No. 41.

COPY.

S. 1 385,

Muskogee, Indian Territory, October 14, 1903.

William T. Sayers,
Admir, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1903, granting your application for the enrollment of yourself as a citizen, by blood, of the Cherokee Nation.

Respectfully,

Tams Bixby.

Acting Chairman.
Commissioner in charge.

Enclosure S/Dn. 30.
Register.

Class Work

Julius A Miller

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., SEPTEMBER 26, 1900.

In the matter of the application of John H Miller for the enrollment of himself and wife as citizens of the Cherokee Nation; said Miller being sworn by Commissioner T. B. Needles, testified as follows:

Q What is your name?A John H. Miller.
Q What is your age?A 20.
Q What is your post office address? A Ruby.
Q What district do you live in ? A Cooweescoowee .
Q Are you a recognized citizen of the Cherokee Nation?A Yes,sir.
Q By blood? A Yes, sir.
Q What degree of blood do you claim? A One quarter.
Q For whom do you apply for enrollment ? A Myself and wife.
Q What is the name of your father?A Rufus.
Q Is he living? A Yes, sir.
Q The name of your mother?A Hannah Jane.
Q What is the name of your wife?A Annie.
Q Is she white person? A Yes, sir.
Q What was her name bef ore you married her? A Mahoney.
Q When did you marry her? A 13th day of last may, 1900.
Q What is the name of your children?A I haven't got any.
Q Is your name on the authenticated roll of 1880? A No, sir,I do not thin it is.
Q What is your wife's age?A 16.
1896 enrollment; page 505, #2081, John Henry Miller, Delaware.

Q How long have you livedin the Cherokee Nation? A Ever since I was born.
Q Is your father Cherokee by blood?A Yes, sir.
Q Your mother? A No, sir.

Com'r Needles:--The name of John H. Miller is found upon the census roll of 1896. His name does not appear upon the authenticated roll of 1880. He applies as a citizen through his father, Rufus Miller, whose name does not appear upon the authenticated roll of 1880, but does appear upon the census roll of 1896; consequently final judgment as to the enrollment of the said John H. Miller as a Cherokee citizen by blood will be suspended andhis name will be placed upon a doubtful card, and reference is made as to the testimony of his father Rufus Miller, whose name also was placed upon a doubtful card, #420.

Applicant applies for the enrollment of his wife, Annie, as a Cherokee citizen by intermarriage. He avers that he was married to her,her name being one annie Mahoney, in the year 1900. Said marriage occurred too late under Cherokee law for white persons who intermarry citizens to acquire citizenship, consequently the application for the enrollment of his wife, Annie, Will be refused.

--oooOOOooo--

J. O. Reaves, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Reaves

Subscribed and sworn to before me this 27th day of September, 1900.

Commissioner.

0443

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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 25 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

(20) Date SEP 26 1900 1900.

Name John H. Miller Ruby Jr.

District DELAWARE. Year 1896 Page 505 No. 7081

Citizen by blood 1/40 1/4 Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Was also called as John Henry Miller

See D Card 420

RDH 13

Cherokee D 443

EXECUTIVE DEPARTMENT

OF THE

CHEROKEE NATION.

Tahlequah, I. T.))..,.....189...

TO WHOM IT MAY CONCERN:

This is to certify that under an Act of Appropriation approved Dec 31st 1890, the following named persons to-wit: Rufus Miller, Hannah J. Miller, Lucinda C. Miller, and John Miller, were each paid $15.55, Said amount found to be due under the per-Capita payment of 1880, as shown by the records of this Dept.

(S E A L) Witness my hand and the seal of the Cherokee Nation this the 7th day of Sept. 1898.

W. H. Mayes,
Asst. Executive Sec'y.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full and correct copy of the certificate on file in this office.

Ella Mileny

To be filed in D 443

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T. September 25, 1900.

In the matter of the application of Rufus Miller for the enrollment of himself, wife and children as Cherokee citizens; being sworn and examined by Commissioner Needles he testified as follows:

Q What is your name? A Rufus Miller.
Q How old are you? A About 51 or 2.
Q What is your post office address? A Ruby.
Q In what district do you live? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation by blood?
A Yes sir.
Q What degree of blood do you claim? A Half.
Q For whom do you apply for enrollment? A For myself, wife and children.
Q What is the name of your wife? A Hannah J. Miller.
Q What is her age? A About 44.
Q When were you married to her? A 1867.
Q Have you been living with her continuously ever since? A Yes sir
Q She is alive now? A Yes sir.
Q Is your wife a white woman? A Yes sir.
Q What are the names of your children under 21? A Joshua D. about 14,
Note: Applicant hands list to Com'r being list of children's names, and Com'r reads:
Sarah Ann, 11 years old; Elizabeth; 8 years old, William A. 4 years old.
Q Are these children all alive and living with you at this time?
A Yes sir.
Applicant: I am not on the 1880 roll.
Q By what right do you claim citizenship? A I went on a visit to see my wife's people in the States and never got back in time for the enrollment.
Q When did you get back? A I got back in the fall of 1884.
Q What state were you living in? A Missouri.
Q Never were readmitted? A I never moved out.
Q You were never re-admitted? A No sir.
1896 roll page 506 #2080 Rufus Miller, Delaware District.
Q Have you a certificate of your marriage to ~~Hannah~~your wife Hanna
A No sir.
Q Have you a proof of marriage? A No sir.
1896 roll page 5081 #553 as Hana J. Miller, Delaware District.
1896 roll page 505 #2083 Joshua D. Miller " "
1896 roll page 505 #2084 Sallie Ann Miller " "
1896 roll page 505 #2085 Elizabeth Miller " "
1896 roll page 505 #2086 William A. Miller " "

Examined by Cherokee Representative W. W. Hastings:

Q When did you go to Missouri? A I went in the spring of 1880.
Q Where did you live in 1880 before you left? A Flint.
I was born in Going snake.
Q Lived there all your life until the spring of 1880? A I was born in Goinganake, in the spring before the old immigrant payment I dont know nowhere else as a home, nor nowhere elsd, because I was born and raised here, and never been nowhere else for a home.
Q Did you ever live out up to 1880? A No sir, never lived nowhere else.
Q Where were you married? A In Missouri.
Q When? A In 1877.
Q What part of ~~Kansas~~Missouri? A ~~Neosho~~.
Q How did you become acquainted with your wife in Neosho if you never were up there? A I did'nt say I never was up there, I never lived there.

Q How long were you up there? A I just went backwards and forwards; I have been to Missouri several times.
Q How long had you been up there when you married in 1877?
A I had'nt been up there but a little while.
Q How long do you call a little while? A Two or three months.
Q What were you doing up there in Missouri? A I was at work up there once and a while. And went home and back up there.
Q Had you ever worked up there before that time? A No sir.
Q When was the first time you ever went from the Cherokee Nation to Missouri to work? A 1877.
Q You married, and how long did you live up there before you brought your wife to the Cherokee Nation? A I brought her bakk that fall.
Q Were you married in the spring? A In July.
Q When did you go bakk to work there, after the fall of 1877?
Q I went up there in the spring of 1880 on a visit and of course while I was up there I had to work for a living? A
Q You visited four years up there did'nt you? A No sir.
Q Did'nt you testify a while ago that you came back here in 1884?
Q No sir, I did'nt I said in the fall of 1880.
Q You went there in the spring of 1880 and came back in the fall of 1880, is that your testimony? A I come back in the fall of 1877.
Q You say you went up there again in the spring of 1880? A Yes
Q When did you come back that time? In the fall of 1880? A Yes sir.
Q When did you go back up there any more? A I have'nt been back there since.
Q What were you doing while you were up there? A I was at work mining and jobbing around at anything I could get to do for a living.
Q Have you ever worked out of the Cherokee Nation since the fall of 1880? A No, I dont know that I ever did.
Q Dont you know? A No, I know I did'nt.
Q Your wife's people living now? A They are dead.
Q When did they die? A They died two years ago in the Cherokee Nation; they moved back here, after they moved back here then we never had no more business to visit the State.

Commissioner Needles: The name of Rufus Miller appears upon the census roll of 1896; he avers that he was married to one Hannah J. Miller, a white person, in the year 1877, but presents no certificate of marriage; the name of his wife also appears upon the census roll of 1896; the names of his children, Joshua D. Sarah A. Elisabeth and William A., appear upon the census roll of 1896; the name of the applicant does not appear upon the authenticated roll of 1880, and he makes no satisfactory proof as to his Cherokee citizenship, also satisfactory proof as to his residence; final judgment as to the application of the said Rufus Miller for the enrollment of himself, wife, Hannah J. and children will be suspended, and their names will be placed upon a doubtful card.

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M. D. Green.

Subscribed and sworn to before me this 26 day of September 1900.

C. R. Breckinridge, Commissioner.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, being first duly sworn, state that the above and foregoing is a true and correct copy of the original transcript.

Ella Mulkey

Subscribed and sworn to before me this 17 day of May 1902.

Notary Public.

Cherokee D 443

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T. September 25, 1900.

In the matter of the application for the enrollment of Rufus Miller
James J. Paden, being sworn and examined by Commissioner Needles, testified as follows:-

Q What is your name? A James J. Paden.
Q What is your age? A 47
Q What is your post office address? A Fairland.
Q Do you know Rufus Miller? A Yes sir.

Rufus Miller: Do you know me to be a Cherokee? A Yes sir, always been recognized as a Cherokee.
Commissioner Needles: By who? A By all the Cherokees, I have known him all my life about.
Q Why is 'nt he on the roll of 1880 is he is a recognized Cherokee? A No sir, I dont know that , since we were both grown he has lived right in the neighborhood with me for fifteen years.
Mr. W. W. Hastings, Representative of the Cherokee Nation: What district was that? A In Delaware District.
Q Did you know him before 1880? A Yes sir.
Q Where did you know him then? A Flint district.
Q Did you live near him then? A Yes sir.
Q Was he a recognized citizen of the Cherokee Nation? A Yes sir, that was when we were boys, his folks was recognized as Cherokees and him too.
Q When did you move from Flint? A I life (left) there sometime in the seventies.
Q Did you know him from the time you left up till now? After you left when did you next know him? A I never saw him any more until he moved here.
Q About how long a space between? A It must have been eight or ten years.
Q Was there ever any dispute about his citizenship down there? A No sir.
Q Any up here? A No sir, not that I ever heard of.
M. L. Paden, being sworn and examined by Commissioner Needles, testified as follows:
Q What is your name? A M. L. Paden.
Q What is your age? A 34
Q What district do you live in? A Flint.
Q Do you know Rufus Miller? A I used to know him, yes sir.
Q How long since you have known him? A 20 or 25 years I guess.
Q What do you know about his Cherokee citizenship? A I know the family are Cherokees; I know his father was always known to be a Cherokee.
Q What degree of blood is this Rufus Miller? A I dont know.
Q What degree of blood is his father? A I dont know sir.
Q His mother? A I did'nt never know his mother.
Q Did you know the reason his name is not on the roll of 1880 as a recognized Cherokee citizen? A No sir.
Mr. W. W. Hastings: How far did you live from him down in Flint? of his folks? A I presume about five or six miles.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones.

Sworn and subscribed to before me this the 25th of September 1900.

T. B. Needles, Commissioner.

I, the undersigned as stenographer to the Commission to the Five

To Be filed in D 443

D 420

Civilized Tribes Ex, being first duly sworn, state that the above and foregoing is a true and complete copy of the original transcript.

Estella Mullenix

Subscribed and sworn to before me this 17th day of May, 1902.

Notary Public.

To be filed in D 443

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. January 10, 1901.

In the matter of the application of Rufus Miller.
SUPPLEMENTAL TESTIMONY.

Commissioner Needles: Applicant, Rufus Miller, appears and files proof of marriage.
Interrogated by Mr. W. W. Hastings, Cherokee Representative.
Q How old did you say you were? A I could'nt say just how old I am.
Q Were you ever arrested for anything? A Yes sir.
Q When? A Along about '75.
Q By whom? A There's a man got me to get some horses for him-
Q By whom, under the process of what court? A Cherokee Court.
Q Flint Distsict? A Goingsnake district.
Q Were you tried in 1875? A Yes sir.
Q By that court? A Yes sir.
Q What was the result of that trial? A They convicted me.
Q What became of you then? A They took me then to Fort Smith on the same charge.
Q What did you do there? A I never done anything there.
Q Why? A I dont know why.
Q Did you stand your trial? A No sir.
Q Did you give bond? A Yes sir.
Q Did you jump that bond? A Yes sir.
Q And fled from the country? A No sir, I was just scouting around.
Q You were scouting in 1880? A No sir, I was'nt.
Q How long were you scouting around? A For three or four years, three years I guess.
Q You were scouting in 1880? A When I was married I was scouting?
Q That's how you came to be in Missouri? A Yes sir.
Q That's how you came to get acquainted with your wife up there? A Yes sir.
Q You were scouting in 1880, were'nt you? A I dont believe I was.
Q Are you positive on that point? A I went be positive, I dont hardly recollect, I don't hardly think I was.

Commissioner:
Q Was'nt that the reason your name was'nt on the roll of 1880?
A No sir, I had done been back home, and went to Missouri again.
By W. W. Hastings:
Q Did you ever come back and stand you trial down there? A They never did arrest me, and never tried me any more.
Q Did you ever live in Eureka Springs, Arkansas? A No sir.
Q Was you ever in Arkansas scouting? A No sir, never was farther than Fayetteville. I was born within three miles of the line, and I have been in the state a good deal of my life.
Commissioner:
Q I understand you to say, you lived continuously in the Cherokee Nation since 1880? A Yes sir ever since 1880.
Q Your children, they born in the Cherokee Nation? A Yes sir, all but two, I had two born in the State. My wife would go back and be confined.
Q Your wife would go back and be confined? A Yes sir.
Q You were living in the Cherokee Nation at this time? A Yes sir never lived out of the Cherokee Nation; always had property and place there in the Cherokee Nation.
Q What degree of blood are you? A Half.
Q Your mother and father Cherokees? A Both half Cherokees.
Q You never applied to be re-admitted? A No sir, never did in my life.

B. G. Rothenberger, [illegible] stenographer to the Commission to the Five Civilized Tribes, do [illegible]

in full the supplementary testimony in the above case, and that the foregoing is a full true and correct transcript of his stenographic notes in said case.

E. C. Rothenberger.

Subscribed and sworn to before me this 11th day of January, 1901.

C. R. Breckinridge,
Commissioner.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, being first duly sworn, do certify that the above is a correct copy of the original transcript.

Ella Nielson

Subscribed and sworn to before me this 17th day of May, 1902.

Notary Public.

10385 Cher D 443

IN RE

Application for Enrollment of

INFANT CHILD

Vivian Ethan Willis

as a citizen of

CHEROKEE NATION.

Approved October 17, 1901

[signature]

Commissioner.

For Sale by Leader Printing Co., Vinita.

COMMISSION

OCT 17 1901

BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chickasaw Nation,
of [illegible] (here insert name of child), born on the 19 day of June, 1901.
Name of Father: [illegible], a citizen of the [illegible] Nation.
Name of Mother: [illegible], a citizen of the [illegible] Nation.
Post-office, [illegible]

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

I, [illegible], on oath state that I am 15 years of age and a citizen, by [illegible], of the [illegible] Nation; that I am the lawful wife of [illegible], who is a citizen, by birth, of the Chickasaw Nation, that a female (male or female) child was born to me on the 19 day of June, 1901; that said child has been named [illegible], and is now living.

her
[illegible]
mark

WITNESSES TO MARK)
(Must be two Witnesses) John Upton
F. Floyd Blair

Subscribed and sworn to before me this 18 *day of* June, 1901.

J. W. Bolen
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

I, [illegible], a [illegible], on oath state that I attended on Mrs. [illegible], wife of [illegible], on the 19 day of June, 1901; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named [illegible].

her
[illegible]
mark

WITNESSES TO MARK)
(Must be two Witnesses.) F. Floyd Blair
John Upton

Subscribed and sworn to before me this 18 *day of* June, 1901.

J. W. Bolen
NOTARY PUBLIC.

D 443

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T. February 26, 1902.

In the matter of the application of Rufus Miller for the enrollment of himself wife and children as citizens of the Cherokee Nation. The applicant was notified by registered letter February 10, 1902, t that his case would be taken up for final consideration by the Commission on the 26th day of February, 1902. The applicant this day appears in person.
Cherokee Nation represented by W. W. Hastings.
RUFUS MILLER, the applicant, being duly sworn, testified as follows:
COMMISSION: What is your name? A Rufus Miller.
Q How old are you? A Dont know my age just exactly.
Q What is your post office address, where do you live? A At Centralia.
Q That in the Cherokee Nation? A Yes sir.
Q You have changed your address since you appeared before the Commission the last time? A Yes sir. Ruby was the post office for a while, I get letters there yet.
Q Well what is your post office address? A Well just put it back to Ruby, my place is right there.
Q You are an applicant before the Commission for enrollment as a citizen of the Cherokee Nation? A Yes sir.
Q Do you desire to make any statement relative to your application in your own behalf and in behalf of your wife and children? A Why I dont know that I could any more than I have made.
Q You submit the case to the Commission for final consideration? A Why I guess so, all I can do, all I want is just justice.

The applicant and the Representative of the Cherokee Nation present submit this case to the Commission. The same is ordered closed and reported to the Commission for a final decision based upon the evidence now of record.

Arthur G. Croninger, being duly sworn, stated that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Arthur G. Croninger

Subscribed and sworn to before me this 27th day of February 1902.
T. B. Needles, Commissioner.

I, the undersigned, being duly sworn, as stenographer to the Commission to the Five Civilized Tribes, do state that the above is a full and correct copy of the original transcript.

Ella Nicholson

Subscribed and sworn to before me this 17th day of May, 1902.

Notary Public.

*R2

D 443

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 27, 1902.

In the matter of the application of John H. Miller, for the enrollment of himself and child as citizens of the Cherokee Nation:

The applicant was notified by registered letter on February 11, 1902, that his application for the enrollment of himself and child as citizens of the Cherokee Nation, would be taken up for final consideration by the Commission on the 27th day of February, 1902, and that he could on said date appear before the Commission, either in person or by attorney and an opportunity would be given him to introduce any further testimony affecting his application.

Receipt has been acknowledged of the Commission's letter.

The applicant having this day, to-wit: the 27th day of February, 1902, been called three times, and failing to respond either in person or by attorney, the case is ordered closed, and reported to the Commission for final decision based upon the evidence now of record.

Commissioner.

MARRIAGE LICENSE.

Cherokee D 443

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

No. 589

To any Person Authorized by Law to Solemnize Marriage Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. **J. H. Miller** of **Ruby**, in the Indian Territory, aged 19 years, and **Miss Anna Mahony** of **Ruby** in the Indian Territory, aged **16** years, according to law, and that you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at ~~Muskogee~~ **Vinita**, Indian Territory this **12th** day of **May** A. D. ~~1900~~ **1900.**

(S E A L)

Chas. A. Davidson
Clerk of the U. S. Court.

By **F. A. Chandler** Deputy

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

I, **G. W. Jamison**, a Minister of the Gospel, in Cherokee County, that on the **13** day of **May** A. D. ~~1900~~ **1900**, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this **15** day of **May** A. D. ~~1900~~ **1900**.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book **A** Page **281**

G. W. Jamison,
A Minister of the Gospel.

CERTIFICATE OF RECORD

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
NORTHERN DISTRICT. }

I, Charles A. Davidson, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 5th day of June 1900 XXX, at L M., and duly recorded in Book 463, Marriage Record, Page

WITNESS my hand and seal of said Court at Muskogee in said Territory, this 7 day of June 1900 XXXX A. D.

Chas. A. Davidson Clerk.

By Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., May 5, 1902.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of

John L. Miller, as a citizen of the Cherokee Nation.

Commissioner.

Cherokee D 443

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John H. Miller for the enrollment of himself and his minor child, Noma E. Miller, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on September 26, 1900, John H. Miller appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of himself as a citizen by blood of the Cherokee Nation. The application included his wife, but, as she is differently classified, she is not embraced in this decision. A copy of the testimony taken in the case of Rufus Miller, et al., Cherokee Doubtful Case No. 420, is filed with this case and reference is had thereto.

The evidence shows that the said John H. Miller, twenty years of age at the time of this application, is the son of a native Cherokee, Rufus Miller, whose name does not appear upon the authenticated tribal roll of 1880, because he was absent from the Cherokee Nation at the time that roll was made. It appears that the said John H. Miller was named, with other members of his family, in an Act of the National Council approved December 31, 1890, authorizing the payment to John H. Millerof the sum of $15.55, found to be due under the per capita payment of 1880. Upon an examination of the rolls of the Cherokee Nation in the possession of this Commission it is found that the said John H. Miller is identified on the Cherokee Pay Roll of 1886, on the Cherokee Census Roll of 1890, on the Cherokee Pay Roll of 1890, on the Cherokee Strip Payment Roll of 1894, and the Cherokee Census Roll of 1896. On March 19, 1901, a female child, Noma E. Miller by name, was born to John H. Miller and his lawful wife, Anna Miller, and proper proof of her birth has been furnished this Commission.

The evidence further shows that the said John H. Miller has lived in the Cherokee Nation ever since his birth and it is considered that his child, Noma E. Miller, has lived continuously in the Cherokee Nation from the time of her birth.

It is, therefore, the opinion of this Commission that John H. Miller and Noma E. Miller should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 10 1902

Muskogee, Indian Territory, October 18, 1901.

Mr. John H. Miller,

Ruby, Indian Territory.

Dear Sir:

The Commission is in receipt of a birth affidavit in the matter of the application of your daughter, Norma Ellen Miller, for enrollment as a citizen of the Cherokee Nation.

As the mother of this child is a white woman, it will be necessary that you file with the Commission either your original marriage license and certificate or a certified copy thereof, before the affidavit can receive further consideration at the hands of the Commission. Please give this matter your prompt attention.

Yours truly,

Acting Chairman.

In answering refer to
Cherokee Number D 445.

COMMISSIONERS:
HENRY C. DAVIS,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREDENBERG.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 11, 1902

Mr. John K. Miller,

Ruby, Indian Territory,

Sir-

You are hereby notified that the application of yourself and one minor child

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

day of 27th February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-448
Register.

Acting Chairman.

E D443

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 18 1902

Acting Chief

COPY.

Cherokee # 448.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of John H. Miller for the enrollment of himself and his minor child, Emma E. Miller, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 88.

COPY

Cherokee 3 - 448.

Muskogee, Indian Territory, October 28, 1898.

John H. Miller,
Duke, Indian Territory.
Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 26, 1898, granting your application for the enrollment of yourself and your minor child, John H. Miller, as citizens by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge,
Acting Chairman.

Enclosure C. No. 28.
Register.

Cher 9746.
Mary Ellen Eli.

Cher 9746

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., [illegible]

In the matter of the application of John Kil for the enrollment of himself and wife as citizen of the Cherokee Nation,

Being sworn by Commissioner T.B. Needles, testified as follows:

Q What is your name?A John Kil.
Q What is your age, Mr. Kil? A [illegible]
Q Your post office address? A [illegible]
Q What district do you live in? A [illegible]
Q Are you a recognized citizen of the Cherokee Nation? A Adopted citizen, by intermarriage.
Q What is the name of your wife? A Mary Ellen.
Q You apply for her enrollment by blood? A Yes, sir.
Q What was her name before you married her? A Ellen Miller.
Q What was the name of her father?A Rufus Miller.
Q The name of her mother? A Hannah.
Q Are they living? A Yes, sir.
Q How old is your wife? A 17.
Q When didyou marry her?A 29th day of July, 1900.
Q How long have you lived in the Cherokee Nation?A About five years.
Q How long has your wife lived in the Cherokee Nation?A All her life.
Q Do you apply for yourself? A I do not know.

1896 enrollment; page 505, #2082, Mary Ellen Miller, Delaware.

Com'r Needles:-Applicant applies for the enrollment of himself and wife. He avers that he was married to one Ellen Miller, a citizen by blood, in the year 1900, and that she is the daughter of Rufus and Hannah Miller, and he claims Cherokee citizenship for his wife through her father, Rufus. The name of his wife's father and mother do not appear upon the authenticated roll of 1880, but do appear upon the census roll of 1896. Their names have been placed by this Commission heretofore upon doubtful card No.420, andreference is made to said card in this application. Consequently final judgment as to the enrollment of said Ellen Miller, will be suspended and her name will be placed upon a doubtful card, as was that of her father and mother.

Applicant applies for the enrollment of himself, and avers that he was married to said Ellen Miller in the year 1900, he bing a non-resident. Said marriage having occurred too late under the laws of the Cherokee Nation for white persons to acquire citizenship by intermarriage with Cherokee citizens by blood, consequently the application of said John Kil for enrollment will be rejected.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 27th day of September, 1900.

[signature]

Commissioner.

0444

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 28 1900

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 26 1900 1900.

Name Ruby J. T.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Mary Ellen Eli nee Miller

District DELAWARE. Year 1896 Page 505 No. 2082

Citizen by blood yes Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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Doubtful

See D. Card #20

AHHH

To be filed in D 444

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T. September 25, 1900.

In the matter of the application of Rufus Miller for the enrollment of himself, wife and children as Cherokee citizens; being sworn and examined by Commissioner Needles he testified as follows:

Q What is your name? A Rufus Miller.
Q How old are you? A About 51 or 2.
Q What is your post office address? A Ruby.
Q In what district do you live? A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation by blood?
A Yes sir.
Q What degree of blood do you claim? A Half.
Q For whom do you applybfor enrollment? A For myself, wife and children.
Q What is the name of your wife? A Hannah J. Miller.
Q What is her age? A About 44.
Q When were you married to her? A 1867.
Q Have you been living with her continuously ever since? A Yes sir
Q She is alige now? A Yes sir.
Q Is your wife a white woman? A Yes sir.
Q What are the names of your children under 21? A Joshua D., about 14.
Note: Applicant hands list to Com'r being list of Children's names, and Com'r reads:
Sarah Ann, 11 years old; Elizabeth; 8 years old; William A. 4 years old;
Q Are these children all alive and living with you at this time?
A Yes sir.
Applicant: I am not on the 1880 roll.
Q By what right do you claim citizenship? A I went on a visit to see my wife's people in the State and never get back in time for the enrollment.
Q When did you get back? A I got back in the fall of 1884.
Q What state were you living in? A Missouri.
Q Never were re-admitted? A I never moved out.
Q You were never re-admitted? A No sir.
1896 roll page 505 #2080 Rufus Miller, Delaware District.
Q Have you a certificate of marriage to your wife Hannah? A No sir
Q Have you proof of marriage? A No sir.
1896 roll page 505 #2083 as Hana J. Miller, Delaware District.
1896 roll page 505 #2085 Joshua D. Miller. " "
1896 roll page 505 #2084 Sallie Ann Miller " "
1896 roll page 505 #2086 Elizabeth Miller " "
1896 roll page 505 #2086 William A. Miller " "

Examined by Cherokee Representative W. W. Hastings:

Q When did you go to Missouri? A I went in the spring of 1880.
Q Where did you live in 1880 before you went? A Flint.
I was born in Goingsnake.
Q Lived there all your life until the spring of 1880? A I was born in Goingsnake, in the spring before the old immigrant payment I don't know nowhere else as a home, nor nowhere else, because I was born and raised here, and never in or nowhere else for a home.
Q Did you ever live out up to 1880? A No sir, never lived nowhere else.
Q Where were you married? A In Missouri.
Q When? A In 1877.
Q What part of Missouri? A Neosho.

Q How did you become acquainted with your wife in Neosho if you never were up there? A I did'nt say I never was up there, I never lived there.
Q How long were you up there? A I just went backwards and forwards; I have been to Missouri several times.
Q How long had you been up there when you married in 1877? A I had'nt been up there but a little while.
Q How long do you call a liitle while? A Two or three months.
Q What were you doing up there in Missouri? A I was at work up there once and a while. And went home, and back up there.
Q Had you ever worked up there bbefore that time? A No sir.
Q When was the first time you ever went from the Cherokee Nation to Missouri to work? A 1877
Q You married, and how long did you live up there before you brought your wife to the Cherokee Nation? A I brought her back that fall.
Q Were you married in the spring? A In July.
Q When did you go back to work there, after the fall of 1877? A I went up there in the spring of 1880 on a visit and of course while I was up there I had to work for a living? A
Q You visited four years up there did'nt you? A No sir.
Q Did youbtestify a while ago that you came back here in 1884? A No sir I did'nt, I said in the fall of 1880.
Q You went there in the spring of 1880 and came back in the fall of 1880, is that your testimony? A I come back in the fall of 1877.
Q You say you went up ther e again in the spring of 1880? A Yes
Q When did you come back that time? A In the fall of 1880?
A Yes sir.
Q When did you go back up there any more? A I have'nt been back there since.
Q What were you doing while you were up there? A I was at work mining and jobbing around at anything I could get to do for a living
Q Have you ever worked out of the Cherokee Nation since the fall of 1880? A No, I dont know that I ever did.
Q Dont you know? A No, I know I did'nt.
Q Your wife's people living now? A They are dead.
Q When did they die? A They died two years ago in the Cherokee Nation; they moved back here, after they moved back here then we never had no more business to visit in the State.

Com'r Needles: The name of Rufus Miller appears upon the census roll of 1896; he avers that he was married to one Hannah J. Miller, a white person, in the year 1877, but presents no certificate of marriage; the name of his wife also appears upon the census roll of 1896; the names of his children, Joshua B. Sarah A., Elisabeth and William A. appear upon the census roll of 1896; the name of the applicant does not appear upon the authenticated roll of 1880, and he makes no satisfactory proof as to his Cherokee citizenship, also satisfactory proof as to his residence; final judgment as to the application of said Rufus Miller for the enrollment of himself, wife Hannah J. and children will be suspended, and their names will be placed upon a doubtful card.

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly reported the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M. D. Green.

Subscribed and sworn to before me this 28 day of September 1900.

C. R. Breckinridge, Commissioner.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, being first duly sworn, state that the above is a

true and correct copy of the original transcript.

Bella Hadley

Subscribed and sworn to before me this 27 day of May 1903.

Notary Public.

To be filed in D 444

D 420

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T. September 26, 1900.

In the matter of the application for the enrollment of Rufus Miller.

James P. Paden, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A James P. Paden.
Q What is your age? A 47
Q What is your post office address? A Fairland.
Q Do you know Rufus Miller? A Yes sir.
Q Do you know me to be a Cherokee? A Yes sir, always been recognized as a Cherokee.
Commissioner Needles: By who? A By all the Cherokees, I have known him all my life about.
Q Why is'nt he on the roll of 1880 if he is a recognized Cherokee? A No sir, I dont know that, since we were both grown he has lived right in the neighborhood with me for fifteen years.
Mr. W. W. Hastings, Representative of the Cherokee Nation: What district was that? A In Delaware District.
Q Did you know him before 1880? A Yes sir.
Q Where did you know him then? A In Flint district.
Q Did you live near him then? A Yes sir.
Q Was he a recognized citizen of the Cherokee Nation? A Yes sir, that was when we were boys, his folks was recognized as Cherokees and him too.
Q When did you move from Flint? A I life (left) there sometime in the seventies.
Q Did you know him from the time you left up to now; after you left when did you next know him? A I never saw him any more until he moved here.
Q About how long a space between? A It must have been eight or ten years.
Q Was there ever any dispute about his citizenship down there?
A No sir.
Q Any up here? A No sir, not that I ever heard of.

M. L. Paden, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A M. L. Paden.
Q What is your age? A 34
Q What district do you live in? A Flint.
Q Do you know Rufus Miller? A I used to know him, yes, sir.
Q How long since you have known him? A 20 or 25 years, I guess.
Q What do you know about his Cherokee citizenship? A I know the family are Cherokees; I know his father was always known to be a Cherokee.
Q What degree of blood is this Rufus Miller? A I dont know.
Q What degree of blood is his father? A I dont know sir.
Q His mother? A I did'nt never know his mother?
Q Did you know the reason his name is not on the roll of 1880 as a recognized Cherokee citizen? A No sir.
Mr. W. W. Hastings: How far did you live from him down in Flint? or his folks? A I presume about five or six miles.

Bruce S. Jones, being duly sworn, says that he stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce Jones.

Subscribed and sworn to before me this the 26th of September 1900.

Tams Needles, Commissioner.

I, the undersigned, as stenographer to the Five Civilized Tribes, hereby swear, state that the above is a true and correct transcript.

Subscribed and sworn to before me this 27th

To be filed in D 446

D - 420

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T. January 10, 1901.
In the matter of the application of Rufus Miller.
SUPPLEMENTAL TESTIMONY.

Commissioner Needles: Applicant, Rufus Miller, appears and files proof of marriage.
Interrogated by W. W. Hastings, Cherokee representative.
Q How old did you say you were? A I could'nt say just how old I am.
Q Were you ever arrested for anything? A Yes sir.
Q When? A Along about '75.
Q By whom? A There's a man got me to get some horses for him-
Q By whom, under process of what court? A Cherokee Court.
Q Flint district? A Goingsnake district.
Q Were you tried in 1875? A Yes sir.
Q By that court? A Yes sir.
Q What was the result of that trial? A ~~xxxxxx~~They convicted me.
Q What became of you then? A They took me then to Fort Smith on the same charge.
Q What did you do there? A I never done anything there.
Q Why? A I dont know why.
Q Did you stand your trial? A No sir.
Q Did you give bond? A Yes sir.
Q Did you jump that bond? A Yes sir.
Q And fled from the country? A No sir, I was just scouting around.
Q You were scouting in 1880? A No sir, I was'nt.
Q How long were you scouting around? A For three or four years, three years I guess.
Q You were scouting in 1880? A When I was married I was scouting.
Q That's how you come to be up in Missouri? A Yes sir.
Q That's how you come to get acquainted with your wife up there? A Yes sir.
Q You were scouting in 1880, weren't you? A I don't believe I was.
Q Are you positive on that point? A I wont be positive, I dont hardly recollect, I dont hardly think I was.
Commissioner:
Q Was'nt that the reason your name was'nt on the roll of 1880? A No sir, I had done been back home, and went to Missouri again.
By W. W. Hastings:
Q Did you ever come back and stand your trial down there? A They never did arrest me, and never tried me any more.
Q Did you ever live in Eureka Springs, Arkansas? No sir.
Q Was you ever in Arkansas scouting? A No sir never was farther than Fayetteville. I was born within three miles of the line, and I have been in the State a good deal of my life.
Commissioner
Q I understand you to say, you lived continuously in the Cherokee Nationever since 1880? A Yes sir ever since 1880.
Q Your children, they born in the Cherokee Nation? A Yes sir, all but two, I had two born in the States. My wife would go back and be confined.
Q Your wife would go back and be confined? A Yes sir.
Q You were living in the Cherokee Nation ~~xxxx~~ at this time? A Yes sir, never did live out of the Cherokee Nation; always had property and place here in the Cherokee Nation.
Q What degree of blood are you? A Half.
Q Your father and father Cherokee? A Both half Cherokee.
Q You never applied to be ~~xxxxxxxxx~~ admitted? A No sir, never did in my life.

H. O. Rothenberger, being duly sworn, states that he [illegible] Commission to the Five Civilized Tribes, he reported [illegible] the foregoing Supplementary Testimony in the above cause, and that the [illegible]

F. J. H.

going is a full, true and correct transcript of his stenographic notes in said case.

E. F. Rothenberger.

Subscribed and sworn to before me this 11th day of January, 1901.

C. R. Breckinridge, Commissioner.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify, being first duly sworn, that the above and foregoing is a true and correct copy of the original transcript.

Subscribed and sworn to before me this 17 day of May, 1902.

Notary Public.

No. 4444

IN RE

Application for Enrollment of

INFANT CHILD

Goldie Etta

as a citizen of

Cherokee Nation.

Approved JUL 10 1901 190

C. R. Breckinridge

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUL 10 1901

ACTING CHAIRMAN

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Goldie Eli, born on the 25 day of May, 1901

(Here insert name of child)

Name of Father: Eli Eli, a citizen of the [illegible] Nation.

Name of Mother: Mary Ellen Eli, a citizen of the Cherokee Nation.

Post-office, Ruby I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, } ss.
Canadian District. }

I, Mary Ellen Eli, on oath state that I am 18 years of age and a citizen, by birth, of the Cherokee Nation; that I am the lawful wife of Eli Eli who is a citizen, by [illegible], of the [illegible] Nation, that a female child was born to me on the 25 day of May 1901, that said child has been named Goldie Eli, and is now living.

(male or female.)

Mary Ellen Eli

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 24 day of June 1901.

[illegible]
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, } ss.
Canadian District. }

I, H. L. Miller, a (Midwife), on oath state that I attended on Mrs. Mary Ellen Eli, wife of Eli Eli, on the 25 day of May, 1901; that there was born to her on said date a female child; that said child is now living and is said to have been named Goldie Eli.

H. L. Miller

WITNESSES TO MARK

(Must be Two)

Subscribed and sworn to before me this 24 day of June 1901.

[illegible]

To be filed in D 448

D 420

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T. February 26, 1902.

In the matter of the application of Rufus Miller for the enrollment of himself, wife and children as citizens of the Cherokee Nation. The applicant was notified by registered letter February 19, 1902, that his case would be taken up for final consideration by the Commission on the 26th day of February, 1902. The applicant this day appears in person.

Cherokee Nation represented by W. W. Hastings.

RUFUS MILLER, the applicant, being duly sworn, testified as follows.

COMMISSION: What is your name? A Rufus Miller.
Q How old are you? A Dont know my age just exactly.
Q What is your post office address, where do you live? A At Centralia.
Q That in the Cherokee Nation? A Yes sir.
Q You have changed your address since you appeared before the Commission the last time? A Yes sir. Ruby was the post office for a while, I get letters there yet.
Q Well, what is your post office address? A Well, just put it back to Ruby, my place is right there.
Q You are an applicant before the Commission for enrollment as a citizen of the Cherokee Nation? A Yes sir.
Q Do you desire to make any statement relative to your application in your own behalf and in behalf of your wife and children? A Why I dont know that I could any more than I have made.
Q You submit the case to the Commission for final consideration? A Why I guess so, all I can do, all I wants is just justice.

The applicant and the Representative of the Cherokee Nation present submit this case to the Commission. The same is ordered closed and reported to the Commission for a final decision based upon the evidence now of record.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Arthur G. Croninger.

Subscribed and sworn to before me this 27th day of February 1902.

T. B. Needles, Commissioner.

I, the undersigned, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes, I made the above copy and that the same is a full and correct copy of the original transcript.

Subscribed and sworn to before me this 17th day of May, 1902.

Notary Public.

D 444

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 27, 1902.

In the matter of the application of Mary Ellen Ell, for the enrollment of herself and daughter as citizens of the Cherokee Nation:

The applicant was notified by registered letter on February 11, 1902, that her application for the enrollment of herself and child as citizens of the Cherokee Nation would be taken up by the Commission for final consideration on the 27th day of February, 1902, and that she could on said date appear before the Commission, either in person or by attorney, and an opportunity would be given her to introduce any further testimony affecting her application.

Receipt has been acknowledged of the Commission's letter.

The applicant having this day, to-wit: the 27th day of February, 1902, been called three times, and failing to respond either in person or by attorney, it is ordered that the case be closed, and reported to the Commission final decision based upon the evidence now of record.

Commissioner.

Cherokee D 444

97

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

No. 442

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. John Ell, of Ruby, in the Indian Territory, aged 23 years, and Miss Ella Miller, of Ruby, in the Indian Territory, aged 17 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Vinita, Indian Territory this 28th day of July A. D. 1900.

(S E A L)

Chas. A. Davidson
Clerk of the U. S. Court.

By T. A. Chandler Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, G. W. Jamison, a Minister of the Gospel, Do HEREBY CERTIFY, that on the 29 day of July, A. D. 1900, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 14 day of August, 1900.

My credentials are recorded in the office of the Clerk of the United States Court [illegible]

[illegible] Book A, Page 288

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, Charles A Davidson, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 5 day of Sept 1900, at ..... M., and duly recorded in Book A, Marriage Record, Page 67.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 4 day of Dec, A. D. 1900

Northern Dist. Ind. Ter.
Filed. Sep 5 1900
Chas. A. Davidson Clerk
U. S. Courts.

Chas. A. Davidson Clerk.

By ..... Deputy.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T. May 17 1902.

I, as stenographer to the Commission to the Five Civ. Tribes, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of John Eli et al as citizens of the Cherokee Nation.

Ella Mickey
Commissioner

Cherokee D 444

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary Ellen Eli and her minor child, Goldie Eli, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on September 26, 1900, John Eli appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of his wife, Mary Ellen Eli, as a citizen by blood of the Cherokee Nation. The application included John Eli, but, as he is differently classified, he is not embraced in this decision. Affidavits as to the birth of Goldie Eli were filed July 10, 1901. A copy of the testimony taken in the case of Rufus Miller, et al. Cherokee Doubtful Case No. 420, is filed with this case and reference is had thereto.

The evidence shows that Mary Ellen Eli, seventeen years of age at the time of this application, is the daughter of a native Cherokee, Rufus Miller, whose name does not appear upon the Cherokee authenticated tribal roll of 1880 because he was absent from the Cherokee Nation at the time that roll was made. Upon examination of the rolls of the Cherokee Nation in the possession of this Commission it is found that Mary Ellen Eli is identified on the Cherokee Pay Roll of 1886, on the Cherokee Census Roll of 1890, on the Cherokee Pay Roll of 1890, on the Cherokee Strip Payment Roll of 1894, and on the Cherokee Census roll of 1896. Her child, Goldie Eli, born May 25, 1901, is too young to be on any roll but she is identified by birth affidavit on file with this Commission.

The evidence further shows that the said Mary Ellen Eli has lived in the Cherokee Nation all her life, and it is considered that her child, Goldie Eli, has lived continuously in the Cherokee Nation from the time of her birth.

It is, therefore, the opinion of this Commission that Mary Ellen Eli and Goldie Eli should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
AUXILIARY CHEROKEE LAND OFFICE.

Muskogee, Indian Territory, March 16, 1905.

In the matter of the allotment of land to Mary Ellen Eli and her minor child, Goldie Eli, Cherokee Card 9746, Approved Roll Nos. 21901 and 21902.

John Eli, non-citizen husband and father, being sworn testified as follows:

Examination by the Commission:

Q What is your name? A John Eli.
Q What is your post office? A Goody's Bluff, Indian Territory.
Q Was it one time Ruby Indian Territory? A Yes sir.
Q How old are you? A 27 years old.
Q Do you make any claims to Cherokee citizenship? Have you ever made application to the Commission to the Five Civilized Tribes for rights as an intermarried applicant or citizen? A No sir.
Q What is the name of your wife? A Mary Ellen Eli.
Q Is she living? A Yes sir.
Q Have you any children? A Yes sir.
Q On the rolls? A Yes sir.
Q What are the names of your children on the rolls? A Goldie Eli.
Q Are your wife and this child living at this time? A Yes sir.
Q What is your object in appearing at the Land Office today?
A To designate lands for an allotment for my wife and child.
Q Have you any written authority from your wife to make these designations? A Yes sir.

Witness offers document signed by Mary Ellen Eli, dated March 14, 1905, wherein she requests the Commission to the Five Civilized Tribes and to select and designate allotments for herself and minor child, Goldie Eli by the testimony of her husband John Eli. Said document is acknowledged before a Notary Public, March 14, 1905.

Q Are you the John Eli mentioned in this power of attorney?
A Yes sir.
Q Is the Mary Ellen Eli who signed the same your wife? A Yes sir.
Q State the reasons why your wife does not make personal appearance and selection for herself and child? A Why she is not able, sickly
Q Her health is in such condition that it is not deemed safe for her to make a trip to the Land Office? A Yes sir.
Q Are the lands you desire allotted to your wife and child improved?
A Yes sir.
Q Are you residing upon these lands? A Yes sir.
Q Do these lands lay west of Grand river? A Yes sir.
Q Has any previous filing been made on lands for your wife and child?
A No sir.

(Witness excused.)

Thereupon Application No. [illegible] was filed in the office of the Commission to the Five Civilized Tribes and stenographically recorded the testimony in the above entitled cause and the foregoing is a correct transcript of the stenographic notes thereof.

Subscribed and sworn to before me this 16th day of March, 1905.

W. Thurman

Notary Public.


FILED

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREDENBRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 11, 1902

Mr. John Eli,

Ruby, Indian Territory,

Sir:-

You are hereby notified that the application of your wife Mary Ellen and one minor child

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 27th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

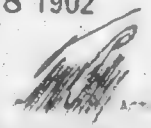
Cherokee D-444
Register.

Yours truly,

Acting Chairman.

D. D4444

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 18 1902



COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

D - 446.

Muskogee, Indian Territory, October 24, 1902.

L. B. Lawson,

Attorney for Mary Ellen Eli and others,

Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of John Eli, for the enrollment of his wife, Mary Ellen Eli, and his minor child, Goldie Eli, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

~~Acting Chairman.~~
Commissioner in Charge.

Enclosure C. No. 28.

Register.

Cherokee # 116.

Muskogee, Indian Territory, September [illegible], 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of John Eli for the enrollment of his wife, Mary Ellen Eli, and his minor child, Goldie Eli, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 83.

Muskogee, Indian Territory, October [illegible], 1902.

John Ell,

Ruby, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of your wife, Mary Ellen Ell, and your minor child, Goldie Ell, as citizens, by blood, of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enclosure C. No. 87.

Register.

D - 6.

Muskogee, Indian Territory, October 22, 1902.

L. B. Lawson,
Attorney for Mary Ellen Eli and others,
Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of John Eli, for the enrollment of his wife, Mary Ellen Eli, and his minor child, Goldie Eli, as citizens, by blood, of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enclosure C. No. 28.
Register.

Received by mail
Sept 1902 By O'Bannon

Department of the I
Commission to the Five Civili
MUSKOGEE, IND. T
OFFICIAL BUSINESS
Penalty for private use, $

1902
INDIAN TERRITORY

NOWATA
1902
IND. T.

L. R. Lawson,

Nowata, Indian Territory.

[illegible]

In the matter of the application of Ewing Halsell for the enrollment of himself and wife as citizens of the Cherokee Nation; said Halsell being sworn by Commissioner T.B. Needles, testified as follows:

Q What is your name? A Ewing Halsell.
Q What is your age, Mr. Halsell?A [illegible];
Q Your post office address?A [illegible].Vinita;
Q What district do you live in? A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation?A Yes, sir.
Q What degree of blood do you claim?A One-eighth.
Q What is your father's name?A W. E. Halsell.
Q Is he living? A Yes, sir.
Q Your mother's name?A Mary Alice.
Q Is she living? A No, sir, dead.
Q For whom do you apply? A Myself and wife.
Q What is your wife's name? Lucille Fortner.
Q Is she a citizen by blood?A Yes, sir.
Q What is the name of her father? A Benjamin Fortner.
Q Is he living? A Yes, sir.
Q The name of her mother? A (Does not know.)
Q Is she living? A Yes, sir.
Q What is the age of your wife?A 21.
Q When didyou marry? A Last year.
Q 1899?A Yes, sir. I am not on the 1880 roll, I never came here until 1881.
Q Have you been admitted? A My father and mother were; I was four years old at the time.

1896 enrollment; page 178, #2292, Ewing Halsell, Coowescoowee.
1880 enrollment; page 196, #1152, Lucile Falkner, Coowescoowee.
1896 enrollment; page 162, #1863, Lucille Fortner, Coowescoowee
My father andmother were admitted in November, 1881.
Q Were you born inthe Cherokee Nation? A No, sir, I was born in Texas, and brought here when I was four years old.

Com'r Needles:--The name of Ewing Halsell is found upon the census roll of 1896. He avers that he was married to Lucille Fortner, a citizen by blood in the year 1899, and the name of Lucille Fortner is found upon the authenticated roll of 1880 as Lucile Falkner, and upon the census roll of 1896 as Lucille Fortner. He avers that his father, William W. Halsell was admitted to Cherokee citizenship on November 16, 1881, and testimony is presented by his father as to his own enrollment. The said Ewing Halsell was born in the State of Texas in the year 1877, before the admission of his father and mother, which was, as has been stated, possibly 1881. His wife being duly identified according to the page and number of the rolls as indicated in the testimony, the said Lucille Halsell, his wife, will be duly listed for enrollment by this Commission as a Cherokee citizen by blood. Final judgment as to the enrollment of the application, Ewing Halsell will be suspended and his name will be placed upon a doubtful card.

---oo0OOo0oo---

J. O. Rosson, being first duly sworn, states that as stenographer tothe Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this [illegible]th day of September,

a 2445

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 29 1900

1944

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 28 1900

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

(73) Date SEP 26 1900 1900.

Name Ewing Halsell Vinita I.T.

District COOWEESCOOWEE. Year 1896 Page 178 No. 2292

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Unmarried

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
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	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

DHH5

Cherokee # 448

An Act to admit Mary A. Halsel and Husband to Citizenship.

Be it enacted by the National Council:

Mary Alice Halsel, late Mary Alice Crutchfield be and she is hereby admitted to all rights and privileges of Cherokee citizenship.

Be it further enacted That W. K. Halsel be and he hereby required to comply with the law regulating intermarriage with whites, and that they remote and permanently locate in the Cherokee Nation within six months after the passage of this act.

(Tahlequah C.N.)Nov. 17th 1881.

D. W. Hicks,
Clerk Senate.

Roach Young.
Pres. Senate.

Concurred in,

J. R. Mayes,
Clerk.

John Severs,
Speaker Council.

Approved Nov. 18th 1881.

D. W. Bushyhead, Principal Chief, C. N.

Executive Office Cherokee Nation,
Tahlequah, I. T.

I, B. W. Alberty, assistant Executive Secretary of the Cherokee Nation hereby certify that the foregoing is a true copy taken from the record of laws passed by the National Council and approved by the Principal Chief in the year of 1881, now in this office and in my custody.

Given under my hand and seal of the Cherokee Nation this the 17th day of September 1900.

(S E A L)

B. W. Alberty
Assistant Executive Secretary Cherokee Nation.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of a certified copy on file in this office.

Ellen McBeth

Supl.-C.D.#445.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 26, 1902.

SUPPLEMENTAL in the matter of the enrollment of EWING HALSELL as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 11, 1902, that his case would be taken up by the Commission for final consideration on the 27th day of February, 1902. Receipt has been acknowledged of Commission's letter, and applicant this day appears by his father, William E. Halsell, and by agreement of the representative of the Cherokee Nation present this case is taken up for consideration.

Mr. W. W. Hastings, Cherokee representative, present.

Commission: It appears upon an examination of the original papers filed in the application of the applicant's father, William E. Halsell, #3331, that the applicant's mother, Mary A. Halsell, was admitted to citizenship on the 19th day of November, 1889, by an Act of the Cherokee National Council.

Commission to Mr. Halsell: Do you, in behalf of your son, submit the case to the Commission for final consideration?
Mr. Halsell: Yes, sir.

Commission: The applicant, by his father, William E. Halsell, and the representative of the Cherokee Nation present submit this case to the Commission. The same is ordered closed and reported to the Commission for final decision based upon the records now on file.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings had in this case on this day and that the above and foregoing is a true and complete transcript of his stenographic notes thereof.

J O Rosson

Subscribed and sworn to before me this March 1, 1902.

Commissioner.

D-445.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., June 10, 1902.

In the matter of the application of Ewing Halsell for the enrollment of himself and wife as citizens of the Cherokee Nation.

SUPPLEMENTAL TO D-445.

APPEARANCES:
Applicant appears in person.
W. W. Hastings in behalf of Cherokee Nation.

COMMISSION: The applicant was notified by registered letter May 26, 1902, to appear before the Commission at its offices in Muskogee, Indian Territory, and submit further evidence relative to his residence in the Cherokee Nation.

EWING HALSELL, being first duly sworn, testified as follows:

COMMISSION: What is your name? A Ewing Halsell.
Q How old are you, Mr. Halsell? A 25 years old.
Q What is your postoffice address? A Vinita, Indian Territory.
Q Where were you born? A Born in Texas, Clay County, I don't remember that for certain.
Q When did you come to the Cherokee Nation for the first time? A In 1881.
Q How long did you continue to reside here after that time? A Ever since 1881.
Q Have you ever made your home outside of the Territory since? A No, sir.
Q For how long a period, if any, have you been gone since that time? A I suppose about five months, while I was at school, about the longest time.
Q Where were you residing on the 28th day of June, 1898? A I believe I was married that day.
Q Have you been making your home here prior to that time? A Yes, sir.
Q Is your wife a citizen by blood or a citizen by intermarriage? A She's a citizen by blood.
Q How long did she reside in the Cherokee Nation? A I think since '96, '95 I guess it was.
Q How long did you know her prior to your marriage? A Since she came to the Territory, I guess, '94 when I learned to know her.
Q Has she been residing here continuously since that time? A Yes, sir, she has.

Arthur A. Cronin, being first duly sworn, states that he is stenographer to the Commission to the five civilized tribes; he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 10th day of June, 1902.

Cherokee D 445

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Ewing Halsell for the enrollment of himself as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on September 26, 1900, Ewing Halsell appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of himself as a citizen by blood of the Cherokee Nation. The application included his wife, but, as she is differently classified, she is not embraced in this decision. Further proceedings in the matter of said application were had on February 26, 1902, and on June 10, 1902 at Muskogee, Indian Territory.

The evidence shows that Ewing Halsell is the son of Mary Alice Halsell, a Cherokee by blood, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on November 18, 1881; the said Ewing Halsell being four years of age at that time. The name of Ewing Halsell is found on the Cherokee Strip Payment Roll of 1894 and he is identified on the Cherokee Census roll of 1896.

The evidence further shows that Ewing Halsell has lived in the Cherokee Nation ever since the year 1881; and that he was a resident of said Nation on the date of his application for enrollment.

It is, therefore, the opinion of this Commission that Ewing Halsell should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALDEN C. ADLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 11, 1902

Mr. Irving Halsell,

Vinita, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 27th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are requiredto supply the Commission with certificate of readmission of your father and mother.

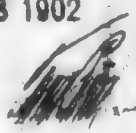
Cherokee D-445
Register.

Yours truly,

Acting Chairman.

6 D.445

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 18 1902



Muskogee, Indian Territory, June 20, 1896.

Mrs. Peter Halsell,

Tahlequah, Indian Territory.

Dear

You are required to appear before this Commission at the office in Muskogee, Indian Territory, before June 30, 1896, and submit further evidence regarding your residence in the Cherokee Nation.

You are reminded that this evidence is very important in the further consideration of the matter of the application for your enrollment as a citizen of the Cherokee Nation.

Yours truly,

Acting Chairman.

In answering refer to
Cherokee D 698.
Registered.

COPY.

Cherokee 2 446.

Muskogee, Indian Territory, September 30, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1903, granting the application of Ewing Halsell for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. R. 30/03.

M - 646.

Muskogee, Indian Territory, September 24, 1902.

[illegible],
Tahlena, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 22, 1902, granting your application for the enrollment of yourself as a citizen, by blood, of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enclosure S. No. 26.
Register.

[illegible] production of water
[illegible]

[illegible] may be found in this case

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
VINITA, I.T., SEPTEMBER 29th, 1900.

IN THE MATTER OF THE APPLICATION OF Margaret Highland for enrollment as a citizen of the Cherokee Nation, and she being sworn by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Margaret Highland.
Q What is your age? A Twenty four.
Q What is your Postoffice? A Vinita.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir
Q About what degree of blood do you claim? A One fourth.
Q You are on the roll of 1880, are you? A No sir.
Q By what right do you claim citizenship? A We are on all of the other rolls: My grand mother in on the roll of 1885.
Q What is the name of your father? A Michael Highland.

Q Is he living? A No sir.
Q What is the name of your mother? A Nellie Highland.
Q Is she living? A Yes sir.
Q Is she a citizen by blood? A Yes sir.
Q For whom do you apply? A Myself.
(1896 Roll, Page 179, #2312, Margrette Highland, Cooweescoowee)
(1894 Roll, Page 215, #2160, Maggie Highland, Cooweescoowee)

Q What is the reason you say your name is not on the roll of 1880?
A We were in the Choctaw Nation.
Q Where were you born? A In the Creek Nation., at Muskogee.
Q How long did you live in the Choctaw Nation? A About four years
Q Where did you move from there? A Here.
Q What year was that? A 1881.
Q Have you been living here continuously since 1881? A Yes sir.
Q Has your mother been enrolled? A She came down here, and I think you put her on a Doubtful Card Roll.
Q Your mother's name is Highland now, is it? A Yes sir.
Q You came back here with your mother, did you? A Yes sir.
Q Been living here ever since? A Yes sir.

The name of Margaret Highland appears upon the census roll of 1896; also upon the Pay Roll of 1894: Her name does not appear upon the authenticated roll of 1880; consequently, final judgment in the application for the enrollment of herself will be suspended and her name will be placed on a Doubtful Card: Reference is made to the testimony of her mother, Nellie Highland, "D Card #346".

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A R Cravens

Subscribed and sworn to before me
this first day of October, 1900.

T B Needles

COMMISSIONER.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 29 1900

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 29 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Margaret Highland

District Year 1896 Page 174 No. 2312

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
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	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Im Wife called Margaret Highland

Cattaraugus Co. N.Y. 2116

R 1466

Supl to D 466

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T., September 19th, 1900.

In the matter of the application of Nellie Highland for the enrollment of herself and children as Cherokee citizens:

The said Nellie Highland being sworn and examined by Commissioner T. B.Needles, testified as follows:

Question: What is your name ? A Nellie Highland.
Q What is your age ? A Fifty nine years of age.
Q What is your post office address ? A Vinita.
Q What district do you live in ? A Cooweescoowee.
Q You are a recognized citizen of the Cherokee Nation ?
A I was born and raised here. I don't know nothing else.
Q Did you ever live anywhere else ? A No sir.
Q What degree of blood do you claim ? A Half-breed.
Q For whom do you apply for enrollment ?
A For myself and my children.
Q Is your husband living ? A No sir.
Q What was his name ? A Highland; Mike Highland.
Q What was your father's name ? A Smith.
Q His first name ? A McCoy Smith.
Q Is he living ? a No sir, he is dead.
Q Your mother's name ? A Sarah.
Q Is she living ? A No sir, she is dead.
Q Give me the names of your children ?
A Sarah Highland, twenty years of age. William Highland, nineteen.
Q When did you say you were married to Highland ?
A I don't know; it has been a good long while.
Q Where were you married ? A Married at Fort Gibson.
Q What district were you in twenty years ago ?
A I have been living in Vinita a good long while.
Q Did you ever go by any other name except Highland ?
A No sir, not since I have been married.
Q What was your name before you were married ? A Nellie Smith.
Q Did your father die before 1880 ? A I could not recollect when my father died; I was a small child.
Q What was your mother's name ? A Sarah Woodard.
Q Well, they didn't get your name on the 1880 roll, do you know why it wasn't on the 1880 roll ? A Yes sir, I was in the Choctaw Nation at that time.
Q Why didn't you say so then and save a lot of trouble ?
A Well, you didn't ask me.

1896 roll, page 179, No. 2311, Nellie Highland, Cooweescoowee District;

1896 roll, page 179, No. 2315, Sarah Highland, Cooweescoowee District;

1896 roll, page 179, No. 2316, William Highland, Cooweescoowee District;

How long did you live in the Choctaw Nation ?
A Why we stayed there about five years.

The Commissioner: The name of Nellie Highland appears upon the Census Roll of 1896. On the roll of 1880 her name is not found, and she avers that the reason her name is not on said roll is that she was living in the Choctaw Nation at the time. The children Sarah and William's names appear upon the Census Roll of 1896. She not having made satisfactory proof of her citizenship, and her name not appearing upon the roll of 1880, final judgment as to the said applicant and her children Sarah and William will be suspended and her and their name will be placed upon a doubtful card.

The undersigned being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in the above mentioned application for enrollment and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

(Signed) Wm. S. Wellshear.

Subscribed and sworn to before me this 29th day of September, A. D. 1900.

(Signed) C. R. Breckinridge,

Commissioner.

Cherokee D 346

(Supl to D 466)

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T., October 15, 1901.

In the matter of the application of Nellie Highland, et al, for enrollment as Cherokee citizens:

Supplemental testimony on behalf of applicants.

Appearances:
Applicant in person;
J. L. Baugh, Cherokee representative.

McCOY SMITH, being duly sworn and examined by Commissioner Needles, testified as follows:
Q What is your name ? A McCoy Smith.
Q What is your age ? A ~~XX~~ 54.
Q What district do you live in ? A Canadian district.
Q Are you a Cherokee citizen by blood ? A Yes sir.
Q Do you know the applicant Nellie Highland ? A Yes sir, I know her.
Q How long have you known her ? A Known her all my life; we were raised right close together.
Q Well, when did you first know Nellie Highland ? A When we were children about three or four years old; I knew her mother.
Q Well, what was her mother's name ? A Sallie.
Q She living ? A No sir, she is dead.
Q What was her father's name ? A McCoy Smith.
Q Is he living ? A No sir, he is dead.
Q Is her father a Cherokee by blood ? A Yes sir.
Q Her mother ? A Yes sir.
Q Did they die before the year 1880 ? A Yes sir.
Q Do you know why Nellie Highland's name is not on the roll of 1880
A She was in the Choctaw Nation at that time when the 1880 roll was taken.
Mr. Baugh: How long was she down there Mr. Smith ?
A Why she married Highland there at Muskogee along about '78 I think it was, somewhere along about that time, '76 or '78, and I thought stayed there two or three years, and then went from there to the Choctaw Nation; I lived right there close to them.
Q Do you know when she returned ? A No I don't know when she came back.
Q Did they have any property in the Cherokee Nation when they left here ? A No sir, I think not.
Q Well, when they were married, were they living in Muskogee, or where were they living ? A She was living down on Canadian.
Q Did they go to housekeeping in Muskogee ? A Yes sir, he was working there on the railroad.
Q Do you know what occupation he followed after they went to the Choctaw Nation ? A Mining, coal mining.
Commissioner: You know how long shedived in the Choctaw Nation ?
A No sir, I don't know that.
Mr. Baugh: Is there any statement you want to make ?
A No, I don't know that it is necessary, I have knowed her ever since I can recollect, I knew her mother and father both.

Commissioner: This will be made part of the record in the case.

FRANK SMITH, being duly sworn and examined by Commissioner Needles, testified as follows:
Q What is your name ? A Frank Smith.
Q How old are you ? A 30.
Q What is your post office address ? A Braggs.

Q Do you know Nellie Highland ? A Yes sir.
Q Any relation to you ? A Yes sir.
Q What ? A First or second cousins, brothers children.
Q She is your brother's child ? A My uncle's child.
Q What is her father's name ? A McCoy Smith.
Q Was he a Cherokee citizen ? A Yes sir.
Q Did he die before 1880 ? A Yes sir.
Q What was her mother's name ? A Sallie.
Q Was she a Cherokee citizen ? A Yes sir.
Q Both by blood ? A Yes sir.
Q Did she die before 1880 ? A Yes sir.
Q Well, where has Nellie Highland been living all her life ?
A Well she lived there on Coody's Creek until she married.
Q Where was she born ? A Born there on the bayou in Illinois district.
Q Do you know why her name is not on the roll of 1880 ?
A No sir, I don't.

Bruce C. Jones, being duly sworn says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) Bruce C. Jones.

Sworn to and subscribed before me this the 18th of October, 1901.

(Signed) T. B. Needles,

Commissioner.

(Supl to D 466)

Supl. C D 346

Department of the Interior,
Commission to the Five Civilized Tribes.
Tahlequah, I. T., November 7th, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of NELLIE HIGHLAND, ET AL., as Cherokee citizens, introduced on behalf of applicants:

Appearances:
Attorney J. S. Davenport, for applicant;
Mr. J. C. Starr, for Cherokee Nation.

J. M. LaHAY, being first duly sworn by Commissioner Needles, testified as follows on the part of the applicants:

MR. DAVENPORT: What is your name ? A J. M. LaHay.
Q Where do you live Mr. LaHay ? A Claremore, Cherokee Nation.
Q How old are you ? A 36 years old.
Q How long have you lived in the Cherokee Nation ?
A All my life, except being absent a while--12 years.
Q Where were you living in 1880 Mr. LaHay ?
A I was living at McAlester, in the Choctaw Nation.
Q Did you know Mike Highland during his lifetime ? A Yes sir.
Q Did you know his wife, Nellie ? A Yes sir.
Q Do you know where they were living in 1880 ?
A They were living about McAlester.
Q Were you acquainted with them at that time ? A Yes sir.
Q Did you and Mike Highland work together and live near each other in 1880 ? A Yes, we worked at the same works and lived neighbors to each other at the time.
Q That was in the Choctaw Nation ? A Yes sir.

Com'r Needles: This testimony will be made part of the record in the original case, and filed therewith.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Rosson.

Subscribed and sworn to before me this November 9th, 1901.

(Signed) T. B. Needles,
Commissioner.

I, E. C. Bagwell, on my official oath xx as stenographer to the Commission to the Five Civilized Tribes, state that the above and foregoing is a true, perfect and complete xxxx copy of the original testimony and proceedings had before the Commission, as appears from the originals on file with the Commission.

E. C. Bagwell.

Stenographer.

1946

"R"

D 466

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T. February 25, 1902.

In the matter of the application of Margaret Highland, for the enrollment of herself as a citizen of the Cherokee Nation:

Appearances:
James S. Davenport, Vinita, I. T., for the applicant;
W W Hastings, for the Cherokee Nation.

The Commission: Is there any statement you desire to make relative to this case Mr. Davenport ?

Mr. Davenport: I wish to submit the case on the same facts as the Nellie Highland case, Cherokee D 346.

The Commission: It is directed that copies of all the testimony had in the matter of the application for the enrollment of Nellie Highland, whose name appears upon doubtful card 346, be filed with and made a part of the record in this case.

The representatives of the Cherokee Nation, and the attorney for applicant, submit this case to the Commission for final consideration, and it is ordered closed, and reported to the Commission for final decision based upon the evidence now on file, in addition to the evidence of Nellie Highland, which will be made a part of the record in this case.

E. C. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this February 26, 1902.

D. M. Ten Broeck

Commissioner.

Cherokee D 466

DEPARTMENT OF THE INTERIOR, H.H.L.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Margaret Highland for the enrollment of herself as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on September 29, 1900, the applicant, Margaret Highland, appeared before the Commission at Vinita, Indian Territory, and then and there made personal application for the enrollment of herself as a citizen by blood of the Cherokee Nation. The testimony taken in the matter of the application for the enrollment of Nellie Highland, et al. Cherokee D. Case No.346, on September 19, 1900, October 15, 1901, and on November 7, 1901 was made a part of the record in this case.

It appears from the evidence in this case that the name of the applicant, Margaret Highland, does not appear upon the Cherokee authenticated tribal roll of 1880, she at that time being with her parents in the Choctaw Nation where she lived for about four years. The applicant, Margaret Highland, was in the Cherokee Nation in 1881 and has lived there continuously since that year. She is identified on the Cherokee Strip Payment Roll of 1894, as "Maggie Highland" and on the Cherokee Census roll of 1896 as "Margrette Highland."

The authority of the Commission herein is defined in Paragraph 1, Sec. 21, of the Act of Congress, June 28, 1898.(30 Stats., 495.)

It is therefore the opinion of this Commission that Margaret Highland is lawfully entitled to be enrolled as a member by

blood of the Cherokee Tribe of Indians in Indian Territory, and that the application for her enrollment as such should be granted and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 11, 1902

Miss Margaret Highland,

Vinita, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

27th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-466
Register.

Acting Chairman.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 21 1902

COPY.

Cherokee D 466.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Margaret Highland for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 85.

COPY.

D - 466.

Muskogee, Indian Territory, October 24, 1902.

Margaret Highland,

Vinita, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen, by blood, of the Cherokee Nation.

Respectfully,

Tams Bixby

Commissioner in Charge.

Acting Chairman.

Enclosure C No. 24.

Register.

COPY.

D - 464.

Muskogee, Indian Territory, October 24, 1902.

James S. Davenport,
Attorney for Margaret Highland,
Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Margaret Highland for the enrollment of herself as a citizen, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge
Acting Chairman.
Commissioner in Charge.

Enclosure C No. 25.
Register.

Circ 1747
Artha D. Smith

R. #195
D. #469

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Vinita, I. T. September 29, 1900.

IN THE MATTER OF THE APPLICATION OF John E. Smith for the enrollment of himself, wife and child as citizens of the Cherokee Nation; said Smith being sworn by Commissioner T. B. Needles, testified as follows.

Q What is your name? A John E. Smith.
Q What is your age? A 2?
Q What is your post office address? A Chouteau.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Intermarriage.
Q For whom do you apply? A My wife and child.
Q Yourself? A Yes sir.
Q What is the name of your wife? A Artha D. Harrin.
Q How old is she? A 19.
Q What is her father's name? A I do not know: He has been dead a long time.
Q What is her mother's name? A Caroline.
Q Is she living? A No sir.
Q Have you any proof of marriage? A I have witnesses here.
Q Why have'nt you a certificate of marriage? A They never issued me any certificate. I was married under Cherokee law.
Q When were you married? A In 1897.
Q Have you any children? A Yes sir, one.
Q What is its name? A Ethel.
Q How old is it? A Five months old.
Q Have you any proof of birth? A Ye s sir.

Applicant presents satisfactory proof of birth as to his child, Ethel, five months old, whose name does not appear upon the census roll of 1896, having been born since said roll was compiled.

Q You say your wife's name was Artha: What was her mother's name?
A Caroline E. Herrin. She was not admitted until 1885.

Applicant presents certificate of admission to Cherokee citizenship issued from the Office of the Commission, Tahlequah, September, A. D. 1885, signed by James Tehee, President of the Commission, Alexander Wolf and T. F. Thompson, Commissioners, attested by D. W. C. Duncan, clerk of the Commission, certificate certified to by D. W. Alberty, Asst. Executive Secretary under the great seal of the Cherokee Nation, certifying that among others, one Arthur Herrin was admitted to citizenship on the 7th day of September, 1885

Q Is your wife the identical Arther Herrin mentioned in this certificate? A Yes sir.
Q Is she living now? A Yes sir.
Q Was she ever married before? A No sir.
Q Were you ever married before? A No sir.
Q Were you ever admitted to citizenship? A No sir.
Q Did you ever apply? A No sir.
Q Is your wife's name on the roll of 1896? A I think so.
(1896 enrollment, page 164, #2468, Artha D. Herrin, Cooweescoowee)
Q How long has your wife been living in the Cherokee Nation?
A Ten years.
Interrogatories by D. C. West, Cherokee Representative:
Q Right after your admission on in 1885, they left the territory, and did not come back until 1890, did they? A I think so.
Q That is a fact, is it? A I could not say.
Q That is your understanding? A Yes sir.
Q You say that you did not make application to the Dawes Commission in 1896; you were included in the case of Emily F. Smith, your

mother, and all of those applicants in that case were rejected?
A Yes sir.

Commissioner Needles:
Q Were you living herein 1898? A Yes sir. Been living here ever since '89 or '90, when we Came back.

Com'r Needles: The name of Artha D. Herrin appears upon the census roll of 1896. Applicant avers that he was married to her in the year 1897. He presents certificate of admission, certifying that his wife was admitted to citizenship in the year 1883. The testimony shows that they removed from the Territory and did not return until the year 1890. Satisfactory proof has been made as to the bir birth of their child Ethel. By reason of their removal from the territory, and not having been re-admitted after their return, final judgment as to the enrollment of the said Artha D. Herrin and her child Ethel, will be suspended and their names will be placed upon a Doubtful card.

It appearing from the testimony that the said Artha D. Herrin was married to one John F. Smith, the applicant, a white man, in the year 1897, too late under the laws of the Cherokee Nation for intermarried persons to receive any rights to citizenship, the application of the said John E. Smith for the enrollment of himself is refused. The cause of his rejection is also from the fact that he applied to the Dawes Commission for enrollment as a citizen by blood in the year 1896, in the case of Emeline Smith et al, and his application was rejected by said Commission.

The Cherokee Nation protests against the enrollment of the said Artha D. Smith, nee Artha D. Herrin, and her child, because of the fact of their removal from the Territory, and non readmittance after their return. See Dawes Commission Case #4549.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson.

Subscribed and sworn to before me this 2nd day of October 1900.

C. R. Breckinridge, Commissioner.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, state upon oath, that the above and foregoing is a full true and correct copy of the original transcript.

Ella Mulkey

Subscribed and sworn to before me this 6th day of May, 1902.

Notary Public.

1946

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 29 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 29 1900 1900.

Name Chouteau 2 T.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

1 Wife's name Artha D. Smith

District COOWEESCOOWEE. Year 1896 Page 184 No. 2458

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 Ethel Smith Dist. Year Page No. Age 5 mar

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

In 1896 called Archa D. Berry

2 on affidavit of mother supplied

DH66

Dawes "E" #1764

20

IN RE

Application for Enrollment of

INFANT CHILD

Ethel Smith

a citizen of the

Cherokee Nation.

Approved, Nov 29th 1900

Commissioner.

DEPT. OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 29 1900

[illegible] Acting CHAIRMAN.

Dawes 1764

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Ethel Smith (Here insert name of child.), born on the 21 day of April, 1900

Name of Father: John Smith, a citizen of the Cherokee Nation.

Name of Mother: Artha Smith, a citizen of the Cherokee Nation.

Post-office, Chotaw, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.) Northern District.

I, Artha Smith, on oath state that I am 19 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of John Smith, who is a citizen, by Adoption, of the Cherokee Nation; that a female (male or female) child was born to me on the 21 day of April 1900; that said child has been named Ethel Smith, and is now living.

Artha Smith

WITNESSES TO MARK:

1. (Must be Two Witnesses.)

2.

Subscribed and sworn to before me this 28 day of Sept 1900.

D. J. Elliott NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.) Northern District.

I, Perlina E. Hamin, a Midwife, on oath state that I attended on Mrs. Artha Smith, wife of John Smith, on the 21st day of April, 1900; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Ethel Smith.

Perlina E. Hamin

WITNESSES TO MARK:

1. (Must be Two Witnesses.)

2.

Subscribed and sworn to before me this 22 day of Sept 1900.

Mary Cox 2 7/14 1901

Preston A. Dame NOTARY PUBLIC.

Cherokee D 469

Office of Commission on Citizenship.

Tahlequah Cherokee Nation September A.D. 1883.

	Pauline E. Herrin James A. Herrin Emma Herrin Rosa Herrin Martha Herrin Arthur Herrin	}	R. C. Boudinott & Geo. S. Butler Atts for Claimants.
No 165	vs The Cherokee Nation.		

Petition filed September 3rd 1883.

Case submitted by Claimant September 6th 1883.
Case submitted by the Solicitor September 6th 1883.

And now on this the 7th day of September, A. D. 1883, this case coming on for final hearing, and all the evidence produced in the case of both sides, having been carefully read and duly considered by the Commission on Citizenship, it was adjudged and determined by said Commission that the said Claimants Pauline E. Herrin, James A. Herrin, Emma Herrin, Rosa Herrin, Martha Herrin, and Arthur Herrin, are Cherokees by blood, and that they are by virtue thereof entitled to all the rights and privileges of of Cherokee Citizenship within the Cherokee Nation and that they should be, and they are hereby, admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

Thos. Tahee, President of Commission.

Alex Wolf
T. F. Thompson } Commissioners.

D. W. C. Duncan
Clerk of Commission.
Transcript furnished claimant Sept 11th, 1883.
D. W. C. Duncan, Clerk.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the record on file in this office.

Ella Milsey

Filed with Arthur D. Smith D.469.

Department of the Interior.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Pryor Creek, I. T. September 12th, 1900.

In the matter of the application of Perlina Herrin for enrollment as a citizen of the Cherokee Nation. The said Perlina Herrin being sworn by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Perlina Herrin,
Q What is your age? A Fifty two.
Q What is your postoffice address? A Pryor Creek.
Q Are you a recognized citizen of the Cherokee Nation?
A Yes, sir.
Q By blood? A Yes sir.
Q What degree of blood do you claim? A About one-eighth.
Q What district do you live in? A Cooweescoowee.
Q How long have you lived in the Cherokee Nation? A Ever since 1883.
Q Is your name upon the Cherokee roll of 1880? A No Sir.
Q By what right do you claim citizenship? A By my being on the old settler roll.
Q Are you on the roll of 1896? A Yes sir, I am on the roll of 1896.
Q Were you ever admitted to citizenship by the Cherokee Council?
A Yes sir.
Q Have you a certificate? A No.
Q What proof have you got of your admission?
A Here is Jim King.
BYSTANDER: She was admitted in 1883. I was present at the time.
Q Who do you apply for? A For myself and one child.
Q What is the name of the child? A Walter H.
Q How old is he? A He is ten years old.
Q When did you say you came to the Cherokee Nation? A 1883.
Q Have you lived here since that time? A Not all the time, I moved back in 1891.
Q How long did you stay then? A I have been here ever since.
Q Where did you move away to at the time you resided in the States?
A I married a white man.
Q Very well, but how long did you live in the States before you moved back to the Cherokee Nation?
A I lived from the time I was born until 1883.
Q Then how long did you live in the Cherokee Nation before you moved back? A I came back and got on the roll in 1883, and my man went back and before he got his business wound up he died. And after he died I moved to the Territory.
Q When was that 1891? A Yes sir 1891.
Q Did you live in the States from 1883 to 1891? A Yes sir.
Q What state? A Arkansas.
Q You have been living in the Cherokee Nation ever since 1891?
MR. HASTINGS: (Representative of the Cherokee Nation)
Q Your husband was a white man? A Yes sir.
Q How long did you stay here in 1883 when you came back?
A I came back in August and went back in September.
Q About a month? A Yes sir.
Q You heard they were going to draw their money in 1891 and you came back to the country? A No I didn't know they were going to draw any money. I just moved back.

Q Your husband was a citizen of Arkansas and you owned a farm there? A Yes sir.
Q You owned the farm up until 1891? A Yes sir.
Q What part of Arkansas did you live in? A Hot Springs County, Bismark was the postoffice.

(On Roll 1896, page 184, No. 2456, Pauline Harrin, Cooweescoowee District.
(On 1896 Roll Walter H. Harrin, page 184, No. 2460, Cooweescoowee District.
Q Is Walter H. Harrin living with you? A Yes.
Q Where was he born? A In Arkansas.
Q And he came with you from Arkansas the last time? A Yes sir.

The name of Pauline Harrin appears upon the Census roll of 1896, and the name of her son Walter H appears upon the said roll. She avers that he was admitted to citizenship by the Cherokee authorities in 1883, but presents no certificate of admission. She testifies that she has not resided in the Cherokee Nation longer than since 1891. Final judgment as to the application of the said Pauline or Parlina Harrin will be suspended and her name will be placed upon a doubtful card awaiting the presentation to this commission of a certified copy of the act admitting her to citizenship in the Cherokee Nation, and also as to further proof as to residence.

The undersigned being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in the foregoing cause and that the foregoing is a correct transcript of his stenographic note thereof.

Wm. S. Wellshear.

Subscribed and sworn to before me this 14th day of September A. D. 1900.

T. B. Needles,
Commissioner.

I, Margaret Crutsinger, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I made the foregoing copy and that same is a true and complete copy of the original transcript.

Margaret Crutsinger

Department of the Interior.
Commission to the Five Civilized Tribes,
Vinita, I. T., September 27, 1900.

D. 526.

In the matter of the application of Paulina E. Herring, (Perlina Herring)

Additional Testimony.

Paulina E. Herring, being sworn and examined by Commissioner Breckinridge, she testified as follows:

Q Give me your full name? A Paulina E. Herring.
Q How old are you? A 56 years old.
Q What is your postoffice? A Pryor Creek.
Q In what district do you live? A Cooweescoowee.

Q Who is it you want to have put on the roll, yourself? A Yes, sir, and one child.
Q Do you apply for yourself as a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee Nation? A I have been living here nearly ten years.
Q How did you acquire your citizenship as a Cherokee, by admission? A Yes sir.

(The applicants presents an official copy of an Act of the Cherokee Commission on Citizenship admitting, September 5, 1885, certain persons to citizenship, and among them appears the name of Paulina Herring. This is recognized as official evidence of the fact.)

Q That is your name , is it, madam? A Yes sir.
Q Under that admission you came here some ten years ago? A Yes sir.
Q And you have lived here ever since? A Yes sir ever since.
Q When were you married? A I have been married about thirty-five years.
Q What is your husband's name? A E. W. Herring.
Q He dead or alive? A He is dead.
Q What is your father's name? A John K. Allen,
Q Dead or alive? A He is dead.
Q Your mother's name? A Milinda.
Q She dead? A Yes sir.
Q Give me the name of your child? A Walter H. Herring.
Q How old is that child? A 9 years old.
Q He is living now is he? A Yes sir.

The applicant is found to have made her application September 12, 1900, and her card is D. 526, but as she presents official evidence in her certificate of admission at this time, what she states now will be preserved as additional testimony, and attention is also called to the Cherokee act of December 4, 1890, set forth on page 128, Report of the Commission in 1899, as affecting her right arising from the time her residence in the Cherokee Nation began. This is cited also in connection with the application for the child.

———•———

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones.

Sworn to and subscribed before me this the 28th day of September 1900

C. R. Breckinridge.
Commissioner.

I, Margaret Crutsinger, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I made the foregoing copy and that same is a true and complete copy of the original transcript.

Margaret Crutsinger

Ex #9749 1469

20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible] Smith

as a citizen of the

Nation.

Approved, February 24 1902

C. R. Breckinridge

Commissioner.

[illegible] LIZ [illegible] CE

[illegible] 1902

[illegible] ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of William L. E. Smith (Here insert name of child.) born on the 6" day of February, 1902.
Name of Father: John E Smith, a citizen of the Cherokee Nation.
Name of Mother: Artha D Smith, a citizen of the Cherokee Nation.
Post-office, Chouteau, Ind. Ter.

AFFIDAVIT OF MOTHER.

~~UNITED STATES~~ INDIAN TERRITORY OF AMERICA,
Northern District.

I, Artha D Smith, on oath state that I am 20 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of John E Smith, who is a citizen, by Adoption, of the Cherokee Nation; that a male (male or female) child was born to me on the 5th day of February, 1902, that said child has been named William L. E. Smith, and is now living.

WITNESSES TO MARK
(Must be Two Witnesses.)

Artha D. Smith

Subscribed and sworn to before me this 15" day of February 1902.

J. R. Bledsoe
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, W C Bryant, a Physician, on oath state that I attended on Mrs. Artha D. Smith, wife of John E. Smith, on the 5th day of February, 1902, that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named William L. E. Smith.

W. C. Bryant M. D.

WITNESSES TO MARK
(Must be Two Witnesses.)

Subscribed and sworn to before me this 15" day of February 1902

J. R. Bledsoe
NOTARY PUBLIC.

"R".

D. 326.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 25, 1902.

In the matter of the application of Pauline E. Herrin, for the enrollment of herself and son as citizens of the Cherokee Nation:

Appearances:
Applicant present in person;
W. W. Hastings, for the Cherokee Nation.

PAULINE E. HERRIN, being sworn and examined, testified as follows:
Q What is your name? A Pauline E. Herrin.
Q How old are you? A I am 53.
Q Your postoffice address? A Pryor Creek.
Q You are an applicant before the Commission for enrollment as a Cherokee Citizen? A Yes sir.
Q Is there any statement you desire to make relative to your enrollment?
A My papers is here before the Commission. I have two brothers and one cousin here to testify.

A. C. B. Allen, being sworn and examined, testified as follows:
Q What is your name? A A.C.B.Allen.
Q Where do you live? Vinita.
Q Are you acquainted with the applicant in this case, Pauline E. Herrin? A Yes sir, she's my sister.
Q Same father and mother? A Yes sir.
Q Were you admitted to citizenship at the same time she claims to have been admitted? A Yes sir the day after, I believe.
Q Were you living in the Cherokee Nation at that time?
A Yes sir.
QDo you know of your own knowledge when the applicant came to the Cherokee Nation? A She came here ~~x~~ in 1885.
Q How long did she remain? A I think she went back to Arkansas.
Q How long did she remain here? A But a short time.
Q About how long?
A I can't say, because at that time I lived at Claremore, and I went back home and left her at Tahlequah.
Q Did she come up to be admitted? A Yes sir.
Q When did you next hear of her being in the Cherokee Nation?
A I think it was about '90, perhaps, when she came back.
Q Do you know why she left the Cherokee Nation and went back to Arkansas?
A She told me she was going back and dispose of their property there and come back.
Q Do you know whether she owned any property here prior to her return to Arkansas?
A Before she returned to Arkansas?
Q Yes. A No sir, she didn't own any before she returned.
Q I mean along in 1885, did she own any property here then?
A No sir, there didn't any of us, because we had just come out to be admitted She didn't acquire any property until she came in 1890. Our father left a farm that belonged to her and me and my niece, when he died.
Q When did he die? A About 1885.
By Mr. Hastings:
Q She just had an heir's interest in that estate? A Yes sir.

The Commission: Is there any further statement you desire to make relative to her case?
A I know I kept that farm until she returned to the Territory, and then I sold it. I was talking to the fellow I sold it to yesterday. He said it was in 1890 or '91. I sold it to Zeno Cox. I sent her her part of the rent all the time, and when I sold it I sent her one third of the proceeds.
Q Did she derive any rent from that farm? A Yes sir.
Q What rent did you pay her in 1887?
A I don't tell you the amount of the rent. I just sold the crop and gave her one third of the proceeds.

JAMES A. KING, being sworn and examined, testified as follows:
Q What is your name? A James A. King.
Q What is your postoffice address? A Tahlequah.
Q How old are you? A I am 48.
Q Are you acquainted with the applicant in this case? A Yes sir.
Q Are you related to her? A She's my first cousin.
Q Where were you living when she claims to have been admitted to citizenship? A I was living at Tahlequah.
Q Did you see her e there at that time? A Yes sir.
Q How long have you continued to live there?
A Ever since that date.
Q Was she living there during that time, or did she just come to staythere until she was admitted.
A They come and put up a tent over at my father's place. She was there a month. There was a Commissioners' court in session there when she made this application.
Q How long did she reside there? A About a month. I know that they returned back to where they had a home in Arkansas.
Q. When did you next see her in the Cherokee Nation?
A In '91 or '92.
Q Have you seen here here continuously since that time?
A She lived at Tahlequah quite awhile, three or four years, and then moved up to where she lives now, at Pryor Creek.
Q You don't know any thing about this property she claims to have inherited from her father?
A Only what has been told me.
The Commission: Is there any question you desire to ask the witness Mrs. Herrin? A No sir.
Q Is there any other statement you desire to make about this case?
A Nothing more than I have stated.

THOMAS P. ALLEN, being sworn and examined, testified as follows:
Q What is your name? A Thomas P Allen.
Q How old are you? A I am 40 years old.
Q Postoffice address? A Vinita.
Q Are you a brother of the applicant? A Yes sir.
Q Were you admitted to citizenship at the same time she was?
A Yes sir.
Q Did you remain here in the Cherokee Nation? A Yes sir.
Q How long did she remain after her admission to citizenship?
A Well sir, I can't say how long; but she went back down into Arkansas sometime that fall.
Q When was did you next see her in the Cherokee Nation?
A The first time I saw her I don't recollect. She was at Tahlequah the first time I saw her, but I can't recollect the date.

Q How many years was it after her admission?
A She was admitted in 1883; and it must have been six or seven years. I can't tell exactly.
Q Did you own any property in the Cherokee Nation when you were admitted to citizenship? A No sir.
Q Did you acquire any property after your admission? A Yes sir.
Q From whom did you receive the pereperty?
A From my father's estate.
Q. Was the applicant given a portion of your father's estate?
A Yes sir.
Q That was the only property she owned here prior to the time she came in 1890 or '91, when she returned?
A I am not sure as to that, I wouldn't say it was the only.
Q That's all you know about? A Yes sir.
The Commission: Is there any question you desire to ask the witness Mrs. Perrin? A No sir.
Q Is ther any other statement you want to make about this case?
A I believe not.

Do you submit this case to the Commission for final consideration Mrs Perrin? A Yes sir.

The applicant and representatives of the Cherokee Nation submit this case to the Commission for final consideration, and the same is ordered closed, and is reported to the Commission for its final decision based upon the evidence now on file.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell.

Subscribed and sworn to before me this February 28, 1902.

T. B. Needles,
Commissioner.

I, Margaret Crutsinger, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I made the foregoing copy and that same is a true and complete copy of the original transcript.

Margaret Crutsinger

"R"

Cherokee D 469

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 27,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Arthur D. Smith for the enrollment of himself and child as Cherokee citizens.

Appearances:
J. Howard Langley, Pryor Creek,I.T., attorney for the applicants;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 11, that her case would be taken up by the Commission for final consideration on the 27th day of February,1902. Receipt has been acknowledged of the Commission's letter and the applicant this day, to-wit: the 27th day of February,1902, appears before the Commission by her attorney, J. Howard Langley of Pryor Creek, I. T.
BY COMMISSION OF ATTORNEY: Any statement you desire to make relative to this case?
BY ATTORNEY LANGLEY: I desire a copy of the testimony in the case of Pauline Herod, D 526, filed and made part of the records in this case, and desire to file a brief in this case.
Q Do you submit the case with that? A Yes sir.

BY COMMISSION: The attorney for the applicant requests and will be granted ten days within which to file a brief with the Commission and a copy with the representatives of the Cherokee Nation; he also requests copies of the testimony in the matter of the application of the applicant's mother, Pauline Herod filed with and made part of the record in the case at bar, which request will be complied with.
The attorney for the applicant and the represent atives of the Cherokee Nation present submit this case and same is ordered closed and reported to the Commission for final decision, based upon the evidence now of record.

M.D.Green,being first duly sworn,states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this February 28,1902.

Commissioner.

Cherokee D 469.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Artha D. Smith and her two minor children, Ethel and William L. E. Smith, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on September 29, 1900, John E. Smith appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of his wife, Artha D. Smith, and his minor child, Ethel Smith, as citizens by blood of the Cherokee Nation. The application included John E. Smith, but, as he is differently classified, he is not embraced in this decision. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on February 27, 1902. The testimony taken in the matter of the application for the enrollment of Paulina E. Herrin, et al., Cherokee Doubtful case No. 326, is made a part of the record in this case.

The evidence shows that Artha D. Smith, nee Herrin, 19 years of age at the date of this application, was admitted, with others, to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on September 7, 1883. The said Artha D. Smith is identified on the Cherokee Strip Payment roll of 1894 and on the Cherokee Census roll of 1896. Two children, Ethel Smith and William L. E. Smith, were born to Artha D. Smith and her husband, John E. Smith, on April 21, 1900 and February 5, 1902, respectively, and proper proof of their births has been furnished this Commission.

After her admission to citizenship in 1883, the said Artha D. Smith remained in the Cherokee Nation but a short time before returning to Arkansas with her parents. She again came to the Cherokee Nation in 1890, she at that time being a minor, and has lived there continuously since that year. It is considered that the two children, Ethel and William L. E. Smith, have lived in the Cherokee Nation continuously since their birth.

It is, therefore, the opinion of this Commission that Artha D. Smith, Ethel Smith and William L. E. Smith, should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP [illegible].

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 11, 1902

Mr. John E. Smith,

Chouteau, Indian Territory,

Sir:-

You are hereby notified that the application of Artha D. and Ethel Smith for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 27th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of readmission of Artha D. Smith.

Yours truly,

Cherokee D-469
Register.

Acting Chairman.

1469

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 21 1902

Copy

Cherokee D 169.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of John F. Smith for the enrollment of his wife, Artha D. Smith, and his two minor children, Ethel and William L. E. Smith, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 86.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

D - 469.

Muskogee, Indian Territory, October 24, 1902.

John E. Smith,

Chouteau, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Artha D. Smith, and your two children, Ethel and William L. E. Smith, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.

Enclosure C No. 23.

Register.

Cher 9750

Joseph Parks

Cher 9750

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
VINITA, I.T., OCTOBER 3rd, 1900.

IN THE MATTER OF THE APPLICATION OF Joseph Parks for enrollment as a citizen of the Cherokee Nation, and he being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Joseph Parks.
Q What is your age? A Forty three.
Q What is your P.O. office? A Fairland.
Q In what district do you live? A Delaware.
Q Who is it you want to have put on the roll? A Myself.
Q Is that all? A Yes sir.
Q Are you a Cherojee by blood? A Shawnee.
Q How long have you lived in the Cherokee Nation?
A Ever since the Shawnees first came here.
Q In 1871? A Yes sir.
Q What is your father's name? A John Parks.
Q Dead or living? A Dead.
Q What is your mothers name? A Elixabeth.
Q Is she living? A yes sir.
(1896 Roll, Page 511, #505, Joseph Parks, Delaware District)
(Applicant here states that he was in Kansas City in 1880)
Q What were you doing in Kansas City? A I was on a spree sir.
Q How long did that spree last? A Four or five months; as long as my money held out.
Q Did you go up there to go into business? A No sir.
Q Just go there to get on a spree? A Yes sir.
Q Is that the only absence you have ever had from the Cherokee Nation? A yes sir.

By Mr. Joel L. Baugh, Cherokee Represenative:
Q How long did you live here after you came here in 1871?
A I lived here right up to the 1880 Roll; then I went up there and stayed on a spree a while.
Q How long did you stay in Kansas City? A Four or five months.
Q When did you come back? A I do not recollect hardly.
Q In the Spring of 1880? A No sir; it was not 1880; I have forgotten; I can not tell you exactly.
Q You ought to know some time when you came back? A I came back.
Q Did you stay there four or five years? A No sir.
Q Did you come back in 1880? A I think not.
Q Did you came back in 1881? A Yes sir; I did; I was not gone that long.
Q What did you have here in this Country; anything? A Couple of saddle horses and a claim.
Q What did the claim consist of? A Thirty acres of broke ground and a fence.
Q After you came back, did you go and live on it? A Yes sir.
Q Have you been living on it ever since? A No sir; I sold it.

By the Commission:
Q Have you been living here ever since? A Yes sir.
Q You did not go into business in Kansas City? A No sir.
The applicant is identified on the roll of 1896, as an adopted Shawnee; He states that he came to the Cherokee Nation with the Shawnees in 1871, and has been here ever since, except five or six months that he spent in Kansas City in 1880 on a spree. He is not identified on the roll of 1880: For the further consideration of his case, his application will at present be placed on a doubtful card, and final decisions, when rendered, will be communicated to him at his P.O. office address.

The undersigned, being sworn, states that as stenographer to the

Commissioner to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Chamberlain

Subscribed and sworn to before
me this 8th day of October, 1900.

COMMISSIONER.

Stolen of Allen Bros. Bank, Bradford, Pa.
Sept. 8th day of October, 1900.
Me at 8th & Main

Send me back.

1907

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 8 1900

[signature] ...INS CHAIRMAN.

DELAWARE.
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 3 1900 1900.

43 Name Joseph Parks Fairland I.T.

District DELAWARE. Year 1896 Page 61 No. 305

Citizen by blood Shaw - Mother's citizenship Jno. Parks — d
Elizabeth Larson — d

Intermarried citizen No.

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

N 507

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., November 26, 1900.

In the matter of the application of Joseph Parks for enrollment as a Cherokee citizen.

Supplementary testimony.

C. P. Williams, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A C. P. Williams.
Q What is your age? A 42.
Q What is your postoffice address? A Miami.
Q What do you want to state in regard to this matter? A I want to state that this man is just about a month older than I am,- Joseph Parks, and he came to this country with my father and myself in 1869. If he had ever been out of this country as much as six months I never knew it. This has been his home since 1869. He lived with his sister Mrs. Cooley near Fairland.
Q What is he a Shawnee Indian? A Yes sir.
Q How much Indian blood has he got? A I don't know; not over 1/4.
Q You know why his name is not on the 1880 roll? A No sir, I do not. His mother lives at Kansas City, but his home has never been there from 1869. He came with my father and myself down here. He made his home with us and his sister in the territory ever since. That has never been his home since that time.

E. C. Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported correctly the testimony and proceedings in the above case, and that the foregoing is a full, true and complete transcript of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 26th day of November, 1900.

Commissioner.

"B2

D 507

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 1, 1902.

In the matter of the Application of Joseph Parks for the enrollment of himself as a citizen of the Cherokee Nation:

The applicant and his attorneys were notified by registered letter February 14, 1902, that the application of Joseph Parks for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 1st day of March, 1902.

Receipt has been acknowledged of the Commission's letter, and the applicant this day, to-wit: the 1st day of March, 1902, appears by his attorneys Mellette & Smith.

The attorneys for the applicant and the representative of the Cherokee Nation present submit the case, and the same is ordered closed, and reported to the Commission for final decision based upon the evidence now of record.

The attorneys for applicants request and will be granted fifteen days in which to file a brief in this case, one copy to be filed with the Commission, and one [illegible] with the representatives of the Cherokee Nation.

Commissioner.

Cherokee D-507.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Joseph Parks for enrollment as a citizen of the Cherokee Nation of Shawnee blood.

D E C I S I O N .

The record in this case shows that on October 3, 1900, Joseph Parks appeared before the Commission at Vinita, Indian Territory, and made personal application for enrollment as a citizen of the Cherokee Nation of Shawnee blood. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on November 28, 1900, and at Muskogee, Indian Territory, on March 1, 1902.

The evidence shows that the applicant is of Shawnee blood. He is identified on the 1871 Register of Shawnee Indians who removed to the Cherokee Nation within two years from the 9th day of June, 1869, in accordance with an agreement entered into by and between the Shawnee tribe of Indians and the Cherokee Nation, on June 7, 1869, and approved by the President of the United States on June 9, 1869. Said agreement contains a provision -

"that the said Shawnees shall be incorporated into and ever after remain a part of the Cherokee Nation, on equal terms in every respect, and with all the privileges and immunities of native citizens of said Cherokee Nation".

The applicant is not identified on the 1880 authenticated roll; but from an examination of the records of the Cherokee Nation in possession of the Commission, it appears that he is identified on the following tribal rolls of said Nation, viz: The 1890 Census Roll, Delaware District, #2784; and the pay roll of Cherokee Shawnee citizens of the Cherokee Nation, as disbursed by D. W. Lipe, Treasurer of said Nation, authorized by an Act of the National Council, approved March 30, 1896 (No.589). The evidence further shows that the applicant is identified on the 1896 Census Roll of the Cherokee Nation as an adopted Shawnee; and that he has been a resident of the Cherokee Nation continuously from the year 1869 up to and including the date of the application herein, with the exception of a few months in 1880 when he was temporarily absent.

It is therefore the opinion of this Commission that Joseph Parks should be enrolled as a citizen of the Cherokee Nation of Shawnee blood, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898, (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

COMMISSIONERS.
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 14, 1902.

Mr. Joseph Parks,

Fairland, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the first day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to Mellette & Smith,
Vinita, I.T.

Yours truly,

Cherokee D-507
Register.

Acting Chairman

Commissioner in Charge.

DEPARTMENT
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 21 1902

Cherokee D 507.

Muskogee, Indian Territory, September 29, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Joseph Parks for the enrollment of himself as a citizen of the Cherokee Nation of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 51.

COPY.

D - 507.

Muskogee, Indian Territory, October 23, 1902.

Joseph Parks,

Fairland, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen of the Cherokee Nation, by Shawnee blood.

Respectfully,

T. Brookings

Acting Chairman.
Commissioner in Charge.

Enclosure C. No. 10.

Register.

Cher 9751

Silas D. Bluejacket

Cher 9751

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., OCTOBER 3d, 1900.

In the matter of the application of Silas D. Bluejacket for the enrollment of himself, wife and children as citizens of the Cherokee Nation of Shawnee blood, said Bluejacket being sworn by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your name, please? A Silas D. Bluejacket.
Q How old are you? A 42.
Q What is your post office? A Bluejacket.
Q In what district do you live? A Delaware.
Q Who is it you want to have put on the roll? A Myself and five children. I have an orphan boy I am raising.
Q Any wife? A Yes, sir, I got a wife.
Q Are you Cherokee by blood? A Shawnee.
Q What is your wife? A White woman.
Q How long have you lived in the Cherokee Nation? A Since 1871.
Q What is your father's name? A Charles Bluejacket.
Q Is he dead or alive? A Dead.
Q Has he been dead more than 20 years? A No, not quite three years.
Q Your mother's name? A Julia.
Q Is she dead or alive? A She is dead.
Q How long has she been dead? A Litt e over three years.
Q What is your wife's name? A Dottie.
Q How old is she? A 28.
Q When did you marry her? A About six weeks ago.
Q Gve me the names of the children. A Daffie.
Q How old is he? A 14 years old.
Q Next one? A Ronnie.
Q How old is that child? A Thecisa 13.
Q Next child? A Elsie.
Q How old is she? A Eleven.
Q Next child? A Oscar.
Q How old is that child? A Ten yearsold.
Q Next child? A Henry.
Q How old is that child? A Eight years old.
Q These children all living now, are they? A Yes, sir.
Q Now give me the name of the Orphan? A Mike Bluejacket.
Q How old is Mike? A 19 years old.
Q What is the name of his father? A Price Bluejacket.
Q Is he dead or alive? A Dead.
Q How long has he been dead? A Some 20 years.
Q What is the name of his mother? A Julia.
Q Is she dead? A Yes, sir.
Q How long has she been dead? A I coult not hardly tell, since he was about two years old.
Q Your mother Cherokee? A Shawnee.
Q What is the name of the mother of these five children of yours? A Delila.
Q What washer maiden name? A Gullet.
Q Was she white woman or Cherokee? she was a white woman.
Q When did you marry her? 1884.
Q When did she die? A Six years ago last April.
Q Did she live with you from the time of her marriage until her death? A Yes, sir.
Q Were you ever married before? A Yes, sir.
Q Were you married more than three times? A Four times.
Q She was your second wife was she? A Yes, sir.
Q Have you a certificate of that marriage? A No, sir.
Q What was your first marriage, to whom? A Alta Phelps.
Q When did you marry her? A I think it was in 1891.
Q What was your third marriage? A Minnie Brashaw.
Q When did you marry her? A I forget what month it was, about four years ago.
Q Is she alive or dead? A Divorced.
Q How long did you

Q Were you divorced from her? A Yes, sir.
Q Have you a copy of the decree? A No, sir, I haven't. I never got it, it is here.
Q Now, your second wife is the mother of all these children? A Yes, sir
Q You married her after the death of your first wife? A Yes, sir.

1880 enrollment; page 221, #159, Silas Bluejacket, Delaware.
1880 enrollment; page 55, #171, Julia " "
1880 enrollment; page 55, #170, Price Bluejacket, "
1896 enrollment; page 597, #10, Silas D. Bluejacket, Delaware.
1896 enrollment; page 597, #11, Bertie Bluejacket, Delaware.
1896 enrollment; page 597, #12, Bonnie Bluejacket, Delaware.
1896 enrollment; page 597, #13, Eliza or Elsie M.
1896 enrollment; page 597, #14, Oscar Bluejacket, Delaware.
1896 enrollment; page 597, #15, Henry Bluejacket, Delaware.
1896 enrollment; page 597, #16, Mike Bluejacket, Delaware.

Q Mike is living now is he? A Yes, sir.
Q Have you some one here who knew your wife Delila? A I do know anyone in the house.
Q She was a white woman? A Yes, sir.

Com'r Breckinridge:--The applicant applies for the enrollment of himself, and five children: And for an Orphan child he has in charge He is identified on the rolls of 1880 and 1896 as an adopted Shawnee. He has lived in the Cherokee Nation ever since 187 . His five children enumerated in the testimony are identified with him on the roll of 1896. They are all living at this time. The applicatn states that he married there mother in 1884, after the death of his previous wife, and she died some six years ago. She was a white woman. That woman was too late marr for her to appear upon the roll of 1880 and she died before the roll of 1896 was made. It is desired th t he establish that marriage by personal testimony. The child Mike Bluejackte is identified on the roll of 1896. He is an orphan and his father and mother are both identified on the roll of 1880. This child is now alive. In order the prevent the multiplication of records, all of these applicants will, for the present, be placed upon a white card until the marriage of the applicant with his second wife, the mother of all of his children, is established.

As regards the applicant for the enrollment of his present wife. He is shown to have been married to her only two weeks ago, too late for her to be entitled to enrollment under the Cherokee law of 1895, and the application for her enrollment is rejected.

---oooOOOooo---

J. M. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony andproceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. M. Rosson

Subscribed and sworn to before me this 8th day of October, 1900.

C. M. Breckinridge
Commissioner.

DEPARTMENT OF
DIVISION TO THE FIVE CIVILIZED
FILED
OCT 8 1906

F 511

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 3 1900

ACTING CHAIRMAN.

DELAWARE,
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 3 1900 1900.

1 42 Name Silas D Bluejacket, Bluejacket D.

District DELAWARE Year 1880 Page 221 No 134

Citizen by blood Shawnee Mother's citizenship Chas. Bluejacket — — D.

Intermarried citizen No Julia " — — D.

Married under what law Date of marriage (1874) (1900)

License ~~Certificate~~ (1881) (1896)

2 Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children.

3	Bertie Bluejacket	Dist. DELAWARE	Year 1896	Page 597	No. 11	Age 14
4	Bonnie "	Dist. "	Year "	Page 597	No. 12	Age 13
5	Elsie M "	Dist. "	Year "	Page 597	No. 13	Age 11
6	Oscar "	Dist. "	Year "	Page 597	No. 14	Age 10
7	Henry "	Dist. "	Year "	Page 597	No. 15	Age 8
8	Mike "	Dist. "	Year	Page 597	No. 16	Age 19
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age

Eliza Bluejacket
Julia Bluejacket

1 On 1880 Roll as Silas Bluejacket
3 " 1896 " " Bertie " — D
5 " " " " " Eliza or Elsie M. " — D
Evidence of marriage of No. 1 to Silas to be supplied.

D511

Supplementary Testimony.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., OCTOBER 5, 1900.

SILAS D. BLUEJACKET, being sworn, testified:

Q You want to give supplementary testimony to your application of yesterday? A Yes.

The applicant presents marriage certificate showing that he was united in marriage to Lotta Headly on the 19th of September, 1900, by the Rev. W. H. Kincaid. This is filed herewith.

MARCUS A. GULLET, being sworn, testified:

Q What is your name? A Marcus A. Gullet.
Q How old are you? A 43.
Q What is your postoffice? A Bluejacket.
Q How long have you lived in the Cherokee nation? A 18 years this winter.
Q Do you know S. Bluejacket here? A Yes.
Q Do you know his second wife? A Yes.
Q What was her name? A Gullet.
Q Any kin to you? A My own sister.
Q What was her given name? A Lilish.
Q Her married her after his first wife was dead, did he? A Yes.
Q She lived with him as his wife until she died? A Yes.
Q That was about how many years ago? A I don't remember.
Q Aboutwhen were they married? A I think it was '85 or '86.
Q How these children that are in his name, how many has she left? A Five.
Q Recognized as her children by him and as the children of that marriage? A Yes.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 5th day of October, 1900.

Commissioner.

#893

Silas D. Bluejacket, (Now on this day this cause comes on for
) trial, to be heard upon the proofs sub-
vs (mitted and the report of the Master in
) Chancery filed this day. The said report of the Master being
Minnie Bluejacket,) heard by the Court, is approved, and it appearing to the court that said report recomendes that a divorce be granted to the plaintiff as prayed for in his petition: It is considered, ordered and decreed by the court that the marriage relations existing between this plaintiff and this defendant, be and the same are hereby set aside, annulled and forever held as naught. And that the said Silas D. Bluejacket be divorced from the said Minnie Bluejacket.

.....

United States of America,
Indian Territory, ss
Northern District,

I, Chas. A. Davidson, Clerk of the United States Court for the Northern District of the Indian Territory, do hereby certify the above and foregoing to be a true and correct copy of the Decree of Divorce granted to Silas D. Bluejacket, in the above styled cause, on the 19th. day of January, A.D.1899, as same appears from the records now on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at my office in Vinita, I.T. this the 1st. day of March, A.D.1902.

CHAS. A. DAVIDSON, CLERK.

By R. H. Lybrand Deputy.

Copy

Cherokee Nation Delaware July 30th 1854

To all whom it may Concern

This is to certify that on the above date the under the above named Rites, "Silas G. Bluejacket" a Cherokee Citizen and "Delila Ballew" were by me joined in the holy bonds of matrimony according to the ordinance of God and the laws of the Country.

Wm. P. Haworth
Presbyterian Pastor.

E D 511

Marriage Certificate

DEPARTMENT OF COMMERCE AND LABOR
BUREAU OF THE CIVILIZED RACES.
FILED
FEB 28 1902

B. Bl.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 28, 1902.

In the matter of the application of Silas D. Bluejacket for the enrollment of himself and children as citizens of the Cherokee Nation.

Applicant present in person.
Cherokee Nation represented by W. W. Hastings.

The applicant was notified by registered letter February 12, 1902, that his application for the enrollment of himself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 28th day of February, 1902. Receipt has been acknowledged of the Commission's letter, and the applicant this day, to wit the 28th day of February, 1902, appears in person.

There is offered in evidence by the applicant a certificate signed by William F. Weyworth, a minister of the Gospel, certifying that he united Silas D. Bluejacket, a Cherokee citizen, and Delilah Gullett in Marriage on the 30th day of July, 1884. The same is filed herewith.

SILAS D. BLUEJACKET, the applicant, being duly sworn, testified as follows:

COMMISSION: What is your name? A Silas D. Bluejacket.
Q How old are you? A 44.
Q What is your postoffice address? A Bluejacket, I. T.
Q You are an applicant before the Commission for enrollment as a citizen of the Cherokee Nation? A Yes, sir.
Q Is there any further statement you desire to make relative to your enrollment? A No.
Q You submit the case to the Commission for final consideration? A Yes, sir.

The applicant and the representatives of the Cherokee Nation present submit this case to the Commission. The same is ordered closed and reported to the Commission for a final decision based upon the evidence now of record.

—:—:—:—:—:—:—

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur G. Croninger

Subscribed and sworn to before me this 28th day of February, 1902.

[illegible]
Commissioner.

Cherokee-D-511

Vinita, Indian Territory July 30,1889

TO ALL WHOM IT MAY CONCERN:

This is to certify that on the above date and near the above named place, Silas D. Bluejacket, a Cherokee citizen and Delila Gullett were by me joined in the holy bond of matrimony according to the ordinance of God and the laws of the country.

Wm. P. Haworth

Presbyterian Pastor.

I the undersigned stenographer to the Commission to the Five Civlized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Silas D. Bluejacket, Burtie Bluejacket, Bonnie Bluejacket, Elsie Bluejacket, Oscar Bluejacket, Henry Bluejacket, Mike Bluejacket and Dottie B. Bluejacket as citizens of the Cherokee Nation.

Muskogee, Indian Territory,
May 6, 1902.

W. C. Kaufman

D571

(Copy)

Vinita, Indian Territory,
July 30, 1884.

To whom it may concern: This is to certify that, on the above date and near the above named place, "Silas D. Bluejacket", a Cherokee Citizen and "Delila Gullett" were by me joined in the holy bond of matrimony according to the ordinance of God and the laws of the country.

(signed) Wm. P. Haworth,
Presbyterian Pastor.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, October 28, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the Office of the said Division.

Chief Clerk, Cherokee Division.

Sworn to and subscribed before me this 28. day of October, 1902.

B C Jones
Notary Public.

Cherokee D 511

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Silas D., Burtie, Bonnie, Elsie, Oscar, Henry and Mike Bluejacket as citizens of the Cherokee Nation of Shawnee blood.

D E C I S I O N.

The record in this case shows that on October 3, 1900, Silas D. Bluejacket appeared before the Commission at Vinita, Indian Territory, and made personal application for the enrollment, among others, of himself and his five minor children, Burtie, Bonnie, Elsie, Oscar and Henry Bluejacket, and a minor orphan boy, Mike Bluejacket, as citizens of the Cherokee Nation of Shawnee blood. Further proceedings in the matter of said application were had at Vinita, Indian Territory, on October 5, 1900, and at Muskogee, Indian Territory, on February 28, 1902. The other party to the application has been differently classified and is not embraced in this decision.

The evidence shows that the said Silas D. Bluejacket, and his minor children, Burtie, Bonnie, Elsie, Oscar and Henry Bluejacket, and the minor child, Mike Bluejacket, are Shawnees by blood. The said Silas D. Bluejacket is identified on the 1880 authenticated tribal roll of the Cherokee Nation, and on the Cherokee Census roll of 1896. His minor children herein applied for are identified on the 1896 Census roll of the Cherokee Nation. The evidence further shows that Silas D. Bluejacket was lawfully married to Delila Gullett, the mother of his above named minor children on July 30, 1884. The minor child, Mike Bluejacket, is identified on the 1896 Census roll of the Cherokee Nation, and his deceased father and mother are identified on the 1880 authenticated tribal roll of the Cherokee Nation as adopted Shawnees.

The evidence further shows that the said Silas D. Bluejacket has resided in the Cherokee Nation since 1871, and that all those for whom application is here made were residents of said Nation at the date of the application herein. It is considered that the residence of the minor children of Silas D. Bluejacket is that of their father. It is also considered that the residence of Mike Bluejacket is that of Silas D. Bluejacket as he states that he has raised him.

It is, therefore, the opinion of this Commission that Silas D. Bluejacket, Burtie Bluejacket, Bonnie Bluejacket, Elsie Bluejacket, Oscar Bluejacket, Henry Bluejacket, and Mike Bluejacket should be enrolled as citizens of the Cherokee Nation of Shawnee blood, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner

Commissioner.

Dated at Muskogee, I. T.,

this SEP 10 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BROCKUNIER.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 12, 1902

Mr. Silas D. Bluejacket,

Bluejacket, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and six minor children

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 28th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certificate of your marriage to your wife, Delilah.

Cherokee D-511
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 22 1902

OCP

Cherokee D 514.

Muskogee, Indian Territory, September 29, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Silas D. Bluejacket for the enrollment of himself and his five minor children, Burtie, Bonnie, Elsie, Oscar and Henry Bluejacket, and a minor orphan boy, Kike Bluejacket, as citizens of the Cherokee Nation of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 52.

COPY.

S - 813.

Muskogee, Indian Territory, October 21, 1902.

Silas D. Mumjacket,
Mumjacket, Indian Territory.
Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself, and your six minor children, Curtis, Dennis, Minie, Oscar, Henry and Riley Mumjacket, as citizens, by Cherokee blood, of the Cherokee Nation.

Respectfully,

C. H. Breckenridge
Acting Chairman.
Disbursing Officer in Charge.

Enclosure S. No. 9.
Register.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., October 5, 1900.

In the matter of the application of Josie Belle Chanley for enrollment as herself and child as citizens of the Cherokee Nation.

Said Chanley being sworn by Commissioner Needles, testified as follows:

Q What is your name? A Josie Belle Chanley.
Q What is your age? A 19.
Q What is your postoffice? A Afton.
Q What district do you live in? A Delaware.
Q Who do you want to enroll? A Myself and baby.
Q Are you married? A Yes.
Q What is your husband's name? A Arthur Chanler.
Q What is your father's name? A James Smith.
Q Is he living? A Yes.
Q What is his mother's name? A Eliza Smith.
Q Is she living? A Yes.
Q Is your name on the roll of '80? A No sir.
Q When were you married? A Two years ago the 9th of this month.
Q What is the name of your child? A Maggie.
Q Have you any proof of its birth made out? A No sir.
Q Have you always lived in the Cherokee Nation? A Yes.
Q Was your husband ever married before? A No sir.

Applicant on '96 roll, page 527, number 2696, as Smith.

The name of Josie Belle Chanler is found upon the census roll of '96 under the name of Josie Belle Smith. She avers that she was married to Arthur Chanler in '98 and by him has one child, named Maggie. Testimony shows she is the daughter of one James M. Smith, and the record shows that his name has been enrolled on doubtful card 446, and she having made satisfactory proof of her residence, final judgment as to the enrollment as a citizen of Josie Belle Chanley will be suspended and her name will be placed upon a doubtful card. Reference is made to testimony taken in the case of her father, James M. Smith, on D card 446.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 5th day of October, 1900.

Commissioner.

9674

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 4 1900

Acting Chairman

DELAWARE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 4- 1900 1900.

Name Atkins 99

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen ..... Doubtful

Married under what law ..... Date of marriage .....

License 19 ..... Certificate .....

Wife's name Josie B. Chanley nee

District DELAWARE Year 1896 Page 537 No. 76 916

Citizen by blood Yes Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

Maggie Chanley Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Im 1896 rolls as Josie Bell Smith

See D Card 446 — D514

See Testimony in case Jas M Smith

9752 b

20

IN RE

Application for Enrollment of

INFANT CHILD

Maggie Shanley

a citizen of the

Cherokee Nation.

Approved, Nov 6 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 6 1900

ACTING CHAIRMAN.

Card No 514.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Maggie Chanley, born on the 4th day of June, 1900.
(Here insert name of child.)
Name of Father: Arthur Chanley, now a citizen of the Cherokee Nation.
Name of Mother: Josie B. Chanley, a citizen of the Cherokee Nation.
Post-office, Afton, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.) Northern District. } ss

I, Josie B. Chanley, on oath state that I am 18 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Arthur Chanley, who is a citizen, by marriage, of the Cherokee Nation; that a Female (male or female) child was born to me on the 4th day of June 1900; that said child has been named Maggie Chanley, and is now living.

Josie B Chanley

WITNESSES TO MARK:
(Must be Two Witnesses.)
J. M. Smith

Subscribed and sworn to before me this 18 day of Oct 1900

A. S. Truitt
NOTARY PUBLIC.

My Com. Expires Jan. 14th 1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.) Northern District. } ss

I, R. H. Harper, a Physician, on oath state that I attended on Mrs. Josie B. Chanley, wife of Arthur Chanley, on the 4th day of June 1900; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Maggie Chanley.

R. H. Harper M. D.

WITNESSES TO MARK:
(Must be Two Witnesses.)
J. M. Smith

Subscribed and sworn to before me this 18 day of Oct 1900

A. S. Truitt
NOTARY PUBLIC.

My Com. Expires Jan. 14th 1901

2 D814

IN RE

Application for Enrollment of

INFANT CHILD

Gracie E. Chunley.

as a citizen of

Cherokee Nation.

Approved January 4, 1902

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 4 1902

ACTING CHAIRMAN.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Gracie E. Chaney, born on the 15 day of November, 1901
(Here insert name of child.)
Name of Father: Author Chaney a citizen of the Cherokee Nation.
Name of Mother: Josie B. Chaney a citizen of the Cherokee Nation.
Post-office Afton Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District. } SS

I, Josie B. Chaney, on oath state that I am Twenty years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Author Chaney, who is a citizen, by Marriage, of the Cherokee Nation; that a Female (male or female.) child was born to me on Fifteenth day of November 1901; that said child has been named Gracie E. Chaney, and is now living.

Josie B Chaney

WITNESSES TO MARK:

(Must be Two Witnesses.) } W. Shelton

Subscribed and sworn to before me this 23rd day of December 1901.

My Com. Exsires Jan. 21 1905

J. J. Truitt
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District, } SS

I, Dr Jas. R. Dawson, a Physician on oath state that I attended on Mrs. Josie B. Chaney, wife of Author Chaney on the 15 day of November, 1901; that there was born to her on said date a Female (male or female.) child; that said child is now living and is said to have been named Gracie E. Chaney.

Jas R Dawson M.D.

WITNESSES TO MARK:

(Must be Two Witnesses.) } W. Shelton

Subscribed and sworn to before me this 23rd day of December 1901.

My Com. Exsires Jan. 21 1905

J. J. Truitt
NOTARY PUBLIC.

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

February 27, 1902.

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Josie Bell Charley et al for enrollment as (Citizens) ~~Freedmen~~ of the Cherokee Nation.

No. D 514

Attorney for Applicant.

0314.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 28 1902

ACTING CHAIRMAN.

"A"

Cherokee D 514

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 27,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Josie B. Chaney for the enrollment of herself and children as Cherokee citizens.

Appearances:
Luman F.Parker, Jr., of Hutchings, West and Parker, Vinita, I. T., attorneys for the applicant;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 13,1902 that her case would be taken up by the Commission for final consideration on the 28th day of February 1902. Receipt has been acknowledged of the Commission's letter, and the applicant this day to wit on the 27th day of February, 1902, appears before the Commission by her attorneys, Hutchings, Parker & West, of Vinita, I. T., and by agreement with the representative of the Cherokee Nation present this case is taken up this day for consideration.

It is directed that a copy of the testimony had in the matter of the application of the applicant's father, James M. Smith, number D-446, be filed with and made a part of the record in this case.

The attorney for the applicant and the representative of the Cherokee Nation present submit this case to the Commission, and same is ordered closed and reported to the Commission for final decision upon the evidence now of record.

The attorney for the applicant requests and will be granted ten days in which to file brief in this case, one copy with the Commission and one copy with the Representatives of the Cherokee Nation.

M.D.Green,being first duly sworn,states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this February 28,1902.

Commissioner.

In the matter of the application for enrollment
of Josie Belle Stanley, and child.
No. "D. 514."

To the Honorable Commission to the Five Civilized Tribes.

At the final hearing of this application on February 27, 1892, it was distinctly stated by the representative of the Cherokee Nation that he had no objection to offer to the enrollment of this family and it was by both the clerk in charge and the representative of the Cherokee Nation stated as a fact that according to the rulings of the Commission subsequent to the original application of these parties, that they would now be duly enrolled.

Upon this information which confirmed our conclusion in the matter we considered it useless to offer further testimony in support of this application and deem it now unnecessary to make any argument in support thereof.

The matter of the enrollment of this family offers an opportunity, however, to bring to light the reason why so many minors were not enrolled by the Cherokee authorities at the time their parents were. We have and are prepared to prove by unimpeachable testimony that Louis Ratliff, the father of one of these applicants, at the time he presented himself for enrollment tendered to the Commission the names of his family, among them one of these applicants, and asked that they be readmitted with him. He was represented at that time by J. M. Bell, an man who then and now stands high in the Cherokee Nation and whose veracity is beyond question. This commission consisted of Roach Young, W. M. Hartage and C. F. Mayes, in answer to the tender of the names of the children the commission said that it was wholly unnecessary to readmit them, that his readmission carried theirs with it.

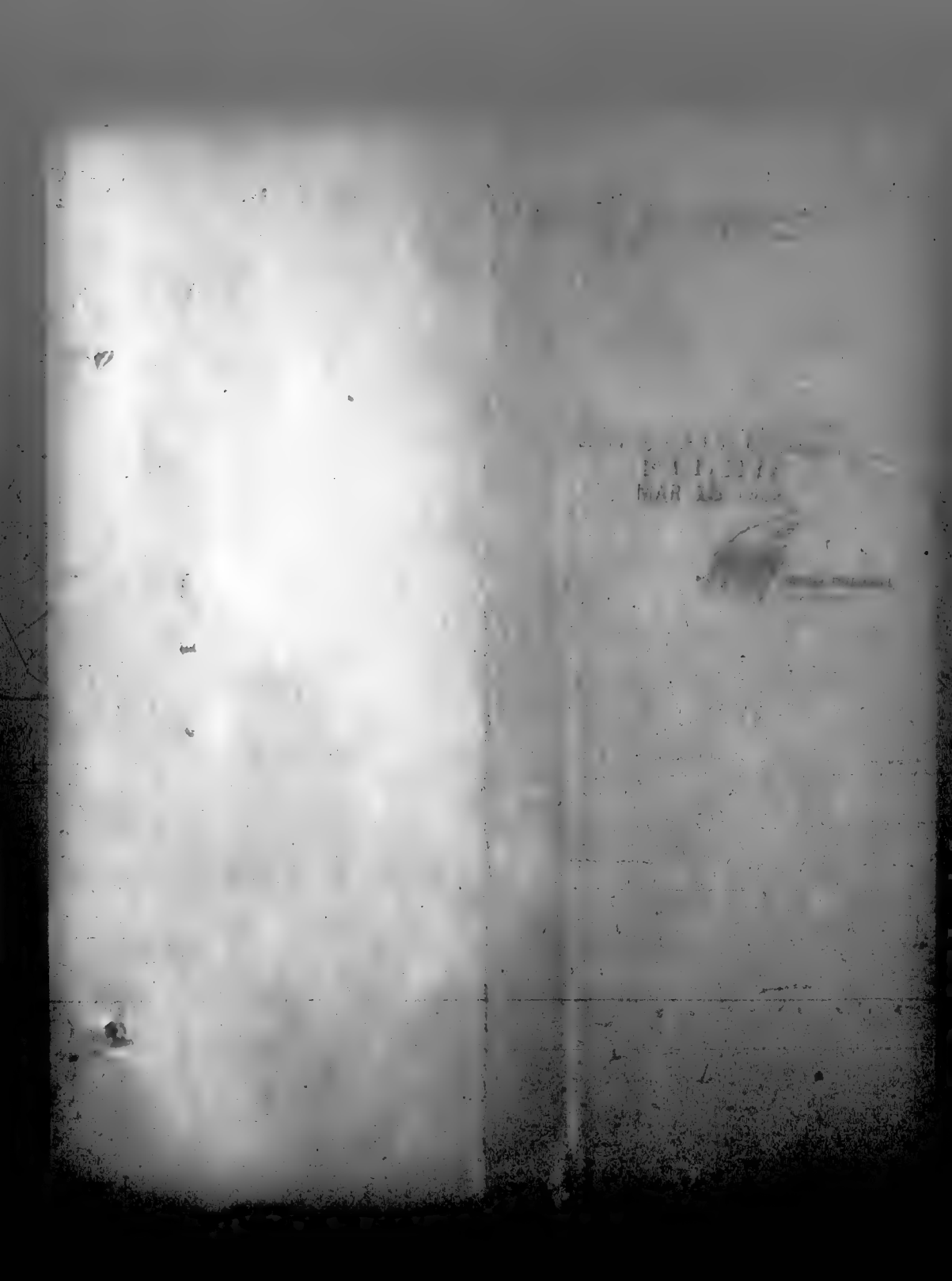
As we said, this statement can be sworn to by [illegible] witnesses who were present and heard it, [illegible] difficult to understand why not only these children, but many others, were not enrolled since this opinion of the [illegible] might easily be communicated throughout the nation and further applications for the enrollment of children dispensed with.

However, these witnesses being men far advanced in years and feeling that the rights of these citizens were secure under the Curtis Act, we decided not to go to the trouble and expense to bring this case within the rules laid down by the Supreme Court in the United States in the case of United States against Nofires, for if the Commission has decided as the representative of the Cherokee Nation and the Clerk in charge said, it would be nothing more than a waste of time and money. These applicants have always been recognised and as citizens and were placed upon a doubtful card for the sole purpose of reserving a decision upon the first paragraph of the Curtis Act; having made that decision further discussion is unnecessary.

Respectfully submitted,

Hamilton Robertson

Atty's for Applicants



File in favor B Shanley case No 0 S.T.

B

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I. T. September 26th, 1900.

IN THE MATTER OF THE APPLICATION OF JAMES M. SMITH FOR THE ENROLLMENT OF HIMSELF, HIS WIFE AND CHILDREN, AS CHEROKEE CITIZENS.

The said James M. Smith, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A James M. Smith.
Q What is your age? A Forty-two.
Q What is your post office address? A Afton.
Q What district do you live in? A Delaware.
Q Are you a recognized citizen of the Cherokee Nation? A [illegible]
Q By blood or intermarriage? A Intermarriage.
Q For whom do you apply for enrollment? A My wife, and myself and children.
Q What is the name of your wife? A Sarah Elizabeth.
Q Is she a Cherokee citizen by blood? A Yes sir.
Q What was her name before you married her? A Ralston.
Q When did you marry her? A I married her in 1881.
Q What is her age? A Thirty seven years old.
Q Have you any certificate of marriage? A Yes sir.
The Commissioner: The applicant presents a duly authenticated marriage license and certificate certifying that he was married to one Elizabeth Ralston, a Cherokee citizen by blood, on the 8th day of July, 1881.
Q What is the name of your wife's father? A Lewis Ralston.
Q Is he living? A Yes sir.
Q What is the name of her mother? A Eliza.
Q Is she living? A Yes sir.
Q What are the names of the children you want to enroll? those under 21 that live with you? A Olive Smith.
Q How old is Olive? A Fifteen years old.
Q What is the name of the next one? A Cora.
Q How old is Cora? A She is fourteen.
Q Has she any other name besides Cora? A No sir.
Q Well go on? A Maud Smith.
Q How old is Maud? A Seven years old.
Q Is Maud her full name? A Yes sir.
Q What is the name of the next one? A Eliza.
Q How old is Eliza? A Four years old.
Q What is the name of the next one? A That is all.
Q Are these children all alive and living with you? A Yes sir.
Q How long have you been living in the Cherokee Nation? A Ever since before I was married on that certificate.

THE COMMISSIONER: The applicant presents a certificate from the Commission on Citizenship dated at Tahlequah September 4th, 1880, signed by Roach Young, President, William Hornage and G. W. Mayes, assistant commissioners, J. B. Mayes, Clerk, and the certificate signed by John L. Adair, Executive Secretary under the seal of the Cherokee Nation, certifying that the certificate with the license is a true copy from the records.
On this certificate I find the name of Lewis Ralston, certifying that he was admitted to citizenship as a Cherokee by blood, I suppose September 4th, 1880.
Q Is the Lewis Ralston mentioned in this certificate the identical Lewis Ralston who was the father of your wife? A Yes sir.
Q When did he remove to the Cherokee Nation? A He moved here in 1861 he said, and the war broke out and he went away.

Q When did he come back? A He came back in February 1880.
Q And he has been living here ever since? A Yes sir.
Q When was your wife born, her name is not in the certificate is it? A I dont know, my wife was born in 1863, I think.
Q Her father was admitted in 1881? A Readmitted he said.
Q Well readmitted then.

1896 roll page 527 No 2695 Sarah Eliza Smith, Delaware District.
1896 roll page 588 No 472, James M. Smith, Delaware District.
1896 roll page 527 No 2697, Ollie May Smith, Delaware District.
1896 roll page 527 No 2698, Cora Lee Smith, Delaware District.

Q I thought you said her name was only Cora when I asked you a while ago. A Well that is her name, that way.
1896 roll page 527 No 2700, Maud Smith, Delaware District.
1896 roll page 527 No 2701, Eli za Smith, Delaware District.

Examination by Mr. W. W. Hastings, representative of the Cherokee Nation.

Q When were you married in 1881? A I was married in December, 1880 in the States. You see I was'nt married until 1881 according to the Cherokee laws.
Q You were married first in December 1880? A Yes sir.
Q And then you were afterwards married in the Cherokee Nation?according to the Cherokee law? A Yes sir.
Q You have always been a recognized citizen of the Cherokee Nation? A Yes sir.
Q You have lived here ever since that time? A Yes, sir; since I was married the first time.
Q And voted here? A Yes sir.
Q Your wife drew money here did she? A Yes sir. I have been on every roll since I was married.
Q Where were you married in what State? A I was married up here in Missouri, Newton County, Missouri; and Jeff McGhee---
Q (interrupting) Was your wife living in Newton County at that time? A No sir, she was living right over in Delaware District.

The Commissioner:
Q Are these children alive and living with you at this time? A Yes sir.

The Commissioner: The name of James M. Smith appears upon the census roll of 1896. He presents satisfactory marriage license and certificate certifying that he was married according to the laws of the Cherokee Nation to one Sarah E. Ralston in the year 1881, and the name of the said Sarah E. Ralston appears upon the census roll of 1896 under her married name. The names of his children Olive, Cora L. Maud and Eliza, appear upon the census roll of 1896. He presents a certificate of citizenship certifying that his wife's father Lewis Ralston, was admitted to citizenship in the year 1881, but the name of his wife Sarah E. Ralston, whom he avers is the child of Lewis Ralston, does not apear in said certificate, and he presents no proof as to her admission; consequently final judgment as to the enrollment of the said James M. Smith as an intermarried citizenof the Cherokee Nation, and his wife Sarah E., and her children enumerated in the testimony, as Cherokee citizens by blood, will be suspended, and their names will be placed upon a doubtful card.

The undersigned, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript

- 3 -

of his firm's annual sales thereof.

Signed, Wm. S. Welshear.

Subscribed and sworn to before me this 11th day of December 1900.

Signed, C. H. Breckenridge,

Notary Public.

I, the undersigned, do certify as stenographer to the Commission to the Five Civilized Tribes, that the above is a true and correct copy of the original transcript.

Nellie Wiley

Commissioner.

Blackburne.

"R"

Cherokee ~~D-446~~.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., February 27, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of James M. Smith for the enrollment of himself, wife and children as Cherokee citizens.

Appearances:
Luman F. Parker, Jr., of Hutchings, West & Parker, Vinita, I. T., attorneys for applicants;
W. W. Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 11, 1902, that his case and that of his wife and children would be taken up by the Commission for final consideration on the 27th day of February, 1902; receipt has been acknowledged of the Commission's letter, and the applicant this day to-wit: the 27th day of February 1902, appears by his attorneys, Hutchings, Parker & West, Vinita, I. T.
BY MR. PARKER: The certificate required to be furnished is furnished by reference to the application of Lewis Ralston.

BY COMMISSION: The following entry appears upon page 2 of the Docket of the Cherokee Commission on Citizenship, of the year 1880:
"Cherokee Commission on Citizenship, Tahlequah, C. N.
Case No. 2.
Lewis Ralston,
vs.
Cherokee Nation.
Petition for citizenship filed June 8, 1880. The above case continued until the September term, 1880 by the Cherokee Nation, set for the 15th of Sept. The above named claimant, Lewis Ralston, claims his right to citizenship in the Cherokee Nation on account of Cherokee blood, being a relative of the late Judge John Landell and James Kell of Delaware District, C. N., well known Cherokees.
The testimony in the case proves conclusively to the Commission that the petitioners claim is well founded- and he is an immediate descendant of the Kell family long known to be Cherokees by blood.
The Commission therefore hereby decide to admit the said Lewis Ralston to all the rights, privileges and franchise of Cherokee citizenship by bl ood.
Roach Young, President Com.
Wm. Nornage,
G. W. Mayes, Commissioners.
J. B. Mayes, Clerk Com.

There is offered in evidence by the attorneys for the applicant a certificate showing that Lewis Ralston and Miss Eliza Pastell were united in marriage in '59 by G. A. Woody, a Minister of the Gospel, and same is filed herewith.

The attorneys for the applicant and the representative of the Cherokee Nation present submit the case to the Commission and same is closed and ordered reported to the Commission for final decision, based upon the evidence now of record. The attorneys for the applicant will be granted ten days in which to file brief in this case, one copy with the Commission and one copy with the representative of the Cherokee Nation.

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M. D. Green.

Sworn and subscribed to before me this ~~February 20, 1902~~.

Signed - T. B. Needles,

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, June 23, 1902.

I, R. A. Stevens, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the supplemental proceedings in the matter of the application of James M. Smith et al (Cherokee D-446), ordered filed in and made a part of the record in the matter of the application of Josie B. Chanley et al for enrollment as citizens of the Cherokee Nation.

R. A. Stevens

Cherokee D-514.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Josie B. Chanley for the enrollment of herself and minor children, Maggie Chanley and Gracie E. Chanley, as citizens by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on October 4, 1900, Josie B. Chanley appeared before the Commission at Vinita, Indian Territory, and made personal application for the enrollment of herself and minor child, Maggie Chanley, as citizens by blood of the Cherokee Nation. Supplemental proceedings in the matter of said application were had at Muskogee, Indian Territory, on February 27, 1902, wherein it was ordered that a copy of the testimony had in the matter of the application of James M. Smith, Cherokee D-446, be filed herein and made a part of the record in this case.

The evidence shows that the said Josie B. Chanley, whose full name is Josie Belle Chanley, nee Smith, was born in 1881, and is a Cherokee by blood. She avers that she was married to Arthur Chanley in 1898, and from this union the minor children included herein were born. The youngest child, Gracie E. Chanley, was born since the date of this application.

It appears from an examination of the records of the Cherokee Nation in possession of the Commission, that the said Josie B. Chanley, by her maiden name Smith, is identified as a native Cherokee on the following rolls of said Nation, viz:- the 1883 Census Roll, Delaware District, #1902; the 1886 pay roll, Delaware District, #1992; and the 1890 Census Roll, Delaware District, #3000. The evidence further shows that she is identified, also by her maiden name, on the 1896 Census Roll of said Nation as a native Cherokee. The said children are too young to appear on any of the tribal rolls of said Nation, but are identified by birth affidavits on file with the Commission.

It further appears that the said Josie B. Chanley has resided in the Cherokee Nation all her life, and the said children being minors are presumed to have resided with their parents.

It is therefore the opinion of this Commission that Josie B. Chanley and her minor children, Maggie Chanley and Gracie E. Chanley, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898, (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 30 1902.

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREEDING.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 13, 1902

Mrs. Josie B. Chanley,

Afton, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and two minor children

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 28th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-514
Register.

Yours truly,

Assistant Commissioner in Charge.

E. D514

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 21 1902

ACTING CHAIRMAN

Cherokee D[illegible]

Muskogee, Indian Territory, September 29, 1[illegible]

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Josie B. Chanley for the enrollment of herself and her two minor children, Maggie and Gracie B. Chanley, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 53.

COPY

D - 814.

Muskogee, Indian Territory, October 23, 1902

Josie B. Chanley,
Afton, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of yourself and your two minor children, Maggie and Gracie B. Chanley, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. D. Breckinridge

Commissioner.

Enclosure H. No. 7.

Register.

COPY.

D - 514.

Muskogee, Indian Territory, October 23, 1903.

Hutchings, Parker and West,
Attorneys for Josie B. Chanley and others,
Vinita, Indian Territory.

Gentlemen:

There is enclosed herewith a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1903, granting the application of Josie B. Chanley for the enrollment of herself and her two minor children, Maggie and Gracie B. Chanley as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge
Acting Chairman.

Enclosure: C. No. 8.
Register.

CHEM 1103

AMANDA YOUNG

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., October 6, 1900.

In the matter of the application of Mandy Young for the enrollment of herself as a Cherokee citizen; being sworn and examined by Commissioner Breckinridge she testified as follows:

Q Give me your name? A Mandy Young.
Q How old are you? A I am 37.
Q What is your post-office? A Nowata.
Q In what district do you live? A Cooweescoowee.
Q Who is it you want to have put on the roll, yourself?
A Yes sir.
Q You don't apply for your husband? A No sir.
Q You just apply for yourself? A Yes sir.
Q Are you a Cherokee, Yes sir, Cherokee Shawnee.
Q How long have you lived in the Cherokee Nation? A I don't know.
Q All your life? A Yes sir
Q What is the name of your father? A William Francis.
Q Is he dead or alive? A Yes sir, he was dead before I knew anything.
Q Give your mother's name? A I don't know her name. Only they called her Smarty.
Q When were you married,- how many times have you been married?
A Twice.
Q When were you married the first time? A Charlie Tongaoxie.
Q Is he dead? A Yes sir.
Q That has been about 10 years ago? A About 10 years ago.
Q When did you marry the next time? A About a year ago.
Q Who did you marry that time,- is young man here? A Yes sir, Dan Young.
Q What was your name before you married Tongaoxie? A Mandy Francis.
Q Where were you born? A I was born in Kansas.
Q Did you come here with the Shawnees? A Yes sir
1880 poll and 1896 roll examined for applicant and name not found.
Interpreter, Caleb Denham:
Interpreter says he thinks she was married to a man named Washington.
Q Did you live at one time with a man named Washington? A She says yes sir.
Q What was his full name? A Ed Washington.
Cherokee-Shawnee Pay roll, 1896, page 38 #782 Amanda Washington.

Com'r Breckinridge: The applicant is identified on the Shawnee pay roll of 1896 as Amanda Washington, she states that she has lived in the Cherokee Nation all her life, and she is part Cherokee and part Shawnee; she has very little information about her past life; she is apparently a full-blood Indian, speaks English imperfectly; she will be placed at this time upon a doubtful card, with a view to her identification on the roll of 1880.

M.D.Green, being first duly sworn, states that he stenographer to the Commission to the Five Civilized Tribes and that the foregoing is a true and complete transcript of his stenographic notes thereof.
Subscribed and sworn to before me this 6th day of October 1900.

Commissioner.

S U P P L E M E N T A L T E S T I M O N Y .

"D" #529.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CLAREMORE, I.T., NOVEMBER 14th, 1900.

SUPPLEMENTAL TESTIMONY in the matter of the application for the enrollment of Amanda Young as a citizen of the Cherokee Nation by Shawnee blood:

JAMES F. TYNER, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A James F. Tyner.
Q What is your age? A 40 years old.
Q What is your post office address? A Skiatook.
Q Do you know this woman Amanda Young? A Yes, sir.
Q What do you know about her? A I do not know exactly how old she is. I have known her ever since she was a little child. They lived in the same neighborhood I did. Her name is Jennie Shybuck.
INTERROGATORIES BY W. W. HASTINSGS, Cherokee Representative:
Q What was her father's name? A I do not know her father.
Q Did you know her mother? A Yes, sir.
Q What was her name? A Her name was Mary, she had a brtoher named George.
Q Did she have any relation by the name of Nancy? A She had a sister named Eliza.
Q What was George's wife's name? A Mary.
Q Do you know whether Jennie ever lived with George? A Yes, sir. In 1880 she was living with a man by the name of Robert Littletom.
Q How old do you think this girl is, from the time you have known her, taking that into consideration? A She must be right close on to 30 years.
Q You know her to be a Shawnee citizen? A Yes, sir.
Q Always so recognized? A Always so recognized, she was enrolled. In 1894 she went by the name of Washington.

WILLIAM S. TIBLOW, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A William S. Tiblow.
Q How old are you, William S. Tiblow? A I am about 46.
Q What is your post office? A Skiatook.
Q Do you know this woman Amanda Young? A Yes, sir, I do.
Q How long have you known her? A Ever since she was a little bitty baby.
Q How old is she? A About 29 years old.
Q What was her father's name? A Spibuck. I can't tell you whether she was registered on the '70 roll as Spibuck. I don't know if she got on that register, but she was born there about that time. They call her Mandy now. Mandy Washington on the '94 roll but before that she was Spibuck, George Spibucks sister.
Q Do you know Nancy? A Mary--that is her husband.
INTERROGATORIES BY W. W. HASTINGS, Cherokee Representative:
Q You know that she has been always recognized as a Shawnee citizen? A Yes, sir, no doubt about that.

1880 Roll; page 177, #2704, Jane Shybuck, Coowescoowee.

Com'r Needles:--Satisfactory testimony is taken to-day to the effect that said Amanda Young is a Shawnee citizen by blood, and her name is found upon the authenticated roll of 1880 by the name of Jane Shybuck. She is duly identified and will be duly listed for enrollment as a Shawnee citizen by blood.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 15th day of November, 1900.

Commissioner.

5629

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 15 1900

Acting Chairman

Cherokee D 529.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Amanda Young for enrollment as a citizen by blood of the Cherokee Nation.

DECISION.

The record in this case shows that on October 4, 1900 Amanda Young appeared before the Commission at Vinita, Indian Territory, and made application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings were had in the matter of the said application at Claremore, Indian Territory, on November 14, 1900.

The evidence shows that Amanda Young is a Cherokee Indian, and is duly identified on the Authenticated Tribal Roll of 1880 as Jane Shybuck. She is identified on the Cherokee Census Roll of 1896 as Amanda Washington, the evidence showing that at one time she was married to, or lived with, a man by that name. She is now married to one Dan Young.

The evidence further shows that Amanda Young has resided in the Cherokee Nation all her life, and that she was a resident of the said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Amanda Young should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section 21 of the Act of Congress June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

COPY

Cherokee D 829.

Muskogee, Indian Territory, September 29, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Amanda Young for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Clifton Dixon

Acting Chairman.

Enc. C. No. 55.

COPY.

D - 529.

Muskogee, Indian Territory, October 23, 1902.

Amanda Young,

Nowata, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen, by blood, of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Enclosure C. No. 4.

Register.

Cher 9754

Alice M. Coast

Cher 9754

Department of the Interior.
Commission to the Five Civilized Tribes.
Bartlesville, I.T., October 10, 1900.

In the matter of the application of Alice May Tucker for enrollment as a Cherokee by blood; being sworn and examined by Commissioner Breckinridge, she testified as follows:

Q Give me your name? A Alice May Tucker.
Q How old are you? A 22.
Q What is your post office? A Hillside at present.
Q In what district do you live, Cooweescoowee? A Yes, sir.
Q Who is it you want to have put on the roll? A Just myself.
Q Are you a Cherokee by blood? A Yes, sir.
Q How long have you lived in the Cherokee Nation, all your life?
A Since I was seven.
Q Were you admitted to citizenship by the Cherokee Commission or Council? A Yes, sir, I think I was.
Q Have you your certificate of admission? A No, sir, I haven't.
Q Give me the name of your father? A Elijah J. Tucker.
Q Is he alive? A No, sir.
Q Give me your mother's name? A Clarinda Baggett was her name before she was married.
Q Is she alive? A No, sir.
Q When do you think you were admitted to Cherokee citizenship?
A In 1887, wasn't it.
Q Your own mother died before you were admitted to citizenship?
A Yes, sir.
Q Do you think you were admitted under the name of Sallie? A Yes, sir.
Q They call you Sallie?, when you were a child? A No, sir, they just took it down wrong.
Q And you were admitted with your father? A Yes, sir.
Q You have lived in the Cherokee Nation then ever since your admission in 1887? A Yes, sir.
(On 1896 roll, page 270, No. 4349, Alice M. Tucker, Cooweescoowee district.)

The applicant is identified on the roll of [illegible] as a native Cherokee. She states that she was admitted to Cherokee citizenship with her father and under the name of Sallie Tucker in [illegible] and that she has lived in the Cherokee Nation ever since her admission. She is desired to supply the Commission with an official [illegible] the act of admission, and awaiting that evidence, she will at present be listed for enrollment on a doubtful card as a native Cherokee.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 10th of October, 1900.

C. H. Breckinridge
Commissioner.

8662

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 19 1900

ACTING CHAIRMAN.

C[illegible]COOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 10 1900 1900.

Name [illegible]

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Alice M. Tucker

COOWEESCOOWEE.

District Year 1900 Page 270 No. 7849

Citizen by blood Yes Mother's citizenship Fiji Native — — 2

Intermarried citizen Yes Caucasian " — — 2

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Art. 9 admission to be supplied

MARRIAGE LICENSE

United States of America,
INDIAN TERRITORY,
Northern District } ss.

No. 1431

To Any Person Authorized by Law to Solemnize Marriage---Greeting:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. Frank Coash of Ramona, in the Indian Territory, aged 23 years, and Miss May Tucker of Ramona, in the Indian Territory, aged 23 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Muscogee, Indian Territory, this 19 day of December, A. D. 1906

Chas. A. Davidson
Clerk of the U. S. Court.

By M. Ford Deputy.

CERTIFICATE OF MARRIAGE.

United States of America,
INDIAN TERRITORY,
Northern District } ss.

I, W. R. Leigh, a Minister of the Gospel,

DO HEREBY CERTIFY, that on the 29 day of December, A. D. 1906, I did duly and according to law so solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 29 day of December, A. D. 1906

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book B, Page 224

W. R. Leigh
A Minister of the Gospel.

NOTE—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the Bond was issued will be liable in the amount of One Hundred Dollars (Penalty).

0062

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 5 1902

CERTIFICATE OF RECORD.

United States of America,
INDIAN TERRITORY,
Northern District. } ss.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 2 day of January 1901, at ..... M., and duly recorded in Book J, Marriage Record, Page 425

WITNESS my hand and seal of said Court at Muscogee, in said Territory this 19 day of July A. D. 1901

Chas A. Davidson Clerk.

By ..... Deputy.

JAN 2 1901
CHAS. A. DAVIDSON,
Clerk, U. S. Courts.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 5 1902

Acting Chairman.

0662

E 1056

20

IN RE

Application for Enrollment of

INFANT CHILD

Hallace D Crast

as a citizen of the

Cherokee Nation.

Approved, MAR 6 1902 190..

C. R. Breathitt

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 1902

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Wallace A. Coast (Here insert name of child.), born on the 5th day of January, 1903
Name of Father: Frank Coast, a citizen of the United States Nation.
Name of Mother: May Coast, a citizen of the Cherokee Nation.
Post-office, Ramona Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Northern District. }

I, May Coast, on oath state that I am 25 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Frank Coast, who is a citizen, by Birth, of the United States Nation; that a male (male or female) child was born to me on the Fifth day of January 1903; that said child has been named Wallace A Coast, and is now living.

May Coast.

WITNESSED TO MARK:

(Must be Two Witnesses.) { }

Subscribed and sworn to before me this First *day of* March *1903*

Herman Bigham
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Northern District. }

I, Addie Vanburen, a Midwife, on oath state that I attended on Mrs. ~~Frank~~ May Coast, wife of Frank Coast, on the 5th day of January, ~~1903~~, that there was born to her on said date a male child, which child is said to have been named Wallace A Coast.

Addie Vanburen

WITNESSED TO MARK:

(Must be Two Witnesses.) { }

Subscribed and sworn to before me this 5th day of March 1903

Herman Bigham
NOTARY PUBLIC.

Cherokee 3 568

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 5, 1903.

In the matter of the application of Alice M. Tucker, for enrollment as a Cherokee citizen.

Supplemental Statement.

---oOo---

There has been filed with this Commission a copy of the records of the Cherokee Commission on Citizenship in the case of Elijah J. Tucker, vs. Cherokee Nation, certified under the seal of the Cherokee Nation by A. B. Cunningham, Assistant Executive Secretary of the Cherokee Nation to be a true and correct transcript of such records, from which it appears that Elijah J. Tucker, 32 years old and Sally M. Tucker, 8 years old, were, among others, re-admitted on September 24,1887 to all the rights and privileges and immunities of Cherokees by blood.

It is directed that copies of this statement be filed with the testimony in the above case.

Commissioner.

Cherokee D.563

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 3,1902.

In the matter of the application of Alice M. Tucker for enrollment as a Cherokee citizen.

SUPPLEMENTAL STATEMENT.

BY THE COMMISSION:

The record of this Commission show that Elijah D. Tucker and his daughter Sallie M. Tucker were admitted to citizenship in the Cherokee Nation on the 24th day of September, 1887, by a decree of a Cherokee Commission on Citizenship. It is ordered that copies of this statement be filed with the testimony in the above cause.

I, C.L. Nielsen, a stenographer to the Commission to the Five Civilized Tribes hereby certify that the above and foregoing is a true and correct copy of my stenographic notes thereof.

C L Nielsen

Cherokee D 562.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Alice M. Tucker -- now Alice M. Coast -- for the enrollment of herself and her minor child, Wallace A. Coast, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 10, 1900, Alice M. Tucker appeared before the Commission at Bartlesville, Indian Territory, and made application for her enrollment as a citizen by blood of the Cherokee Nation.

The evidence shows that Alice M. Tucker, now Alice M. Coast, is a Cherokee Indian, the daughter of one Elijah J. Tucker. It further appears that Elijah J. Tucker and his said daughter, under the name of Sallie M. Tucker, were re-admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on September 24, 1887. The applicant is identified on the Cherokee Census roll of 1896. It further appears from the evidence that the said Alice M. Tucker was married to one Frank Coast on December 29, 1900. Wallace A. Coast is the issue of that marriage, as appears from a birth affidavit on file with this Commission.

The evidence further shows that the said Alice M. Coast, nee Tucker, has resided in the Cherokee Nation since the date of her admission to citizenship, and that she and her said child were residents of the said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that the said Alice M. Coast, formerly Alice M. Tucker, and her minor child, Wallace A. Coast, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902

Ramona I.T. 3-1-02

Commission to the five Civilized tribes.

Muscogee I.T.

Enclosed find Birth affidavit for Hallaba A Coast. Also the marriage license of May Tucker to Frank Coast.
She is enrolled as ~~Alice~~ Alice Mayor Alice M. Tucker She desires to be changed to May Coast also Her child to enrolled with her.

Please acknowledge receipt of this

to May Coast
Ramona
I.T.

INDEXED

File with 0356

COMMISSION TO FIVE TRIBES.

No.	Received	ANSWERED Book	Page
2958 1902	MAR 3 1902		

Coast, May,
Ramona, I. T.,
March 2, 1902.

CHEROKEE.

Enc. birth certificate of Wallace A. Coast and her marriage certificate.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 5 1902

Cherokee D 548.

Muskogee, Indian Territory, September 29, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Alice M. Coast for the enrollment of herself and her minor child, Wallace A. Coast, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. C. No. 88.

COPY.

S - 302.

Muskogee, Indian Territory, October 23, 1902.

Alice M. Grant,
Hillside, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commissioners to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself and your minor child, Wallace A. Grant, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckenridge,
Acting Chairman.

Enclosure C. No. 2.
Register.

(6867).

Muskogee, Indian Territory, August 9, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Departmental letters of May 21, 1906 (I.T.D. 6186,1906), June 1, 1906 (I.T.D. 6260-1906), September 4, 1905, (I.T.D. 12256-1905), and January 12, 1906 (I.T.D.110-1906, relative to striking from the approved roll of citizens of the Cherokee Nation the names of 236 persons who are shown to have died prior to September 1, 1902, there are enclosed herewith affidavits as to the death of certain of said persons. The number of the enrollment card on which these persons are listed, the number opposite which they appear on the approved partial roll of Cherokee citizens, and their names are as follows:

Cherokees by blood.

Card No.	Roll No.	Name.
3440	6845	Vinnie M. Williams
3442	6846	Elbert R. Williams
4261	10253	Reuben A. Ryner
4261	10263	Ina Wallis Ryner
4267	10316	Ronald R. Gilbreth
4267	10319	William A. Gilbreth
4336	10387	Bailey Crawford
4344	10406	Frank Gibson
4347	10414	Robert Hill
4355	10431	Ethel M. Bartow

Card No.	Roll No.	Name.
4998	16496	Clarence E. Walker
4999	16519	Mary Thornton
5134	16888	Frank Brown
5139	11307	George W. Lesley
5140	11308	Minnie Ward
4984	11684	Jane Gardner
4985	11777	Mark Murray
4964	11978	Minnie V. Jackson
5098	9078	Ellen Bailey
5133	14386	Phillip Gill
5172	13480	Rose Cary
5202	13677	Robert H. Adair
5284	20106	Betty Watson
5201	13678	Roman L. Foreman
5241	13704	Jean McClain
5264	13861	Elizabeth Ward
5198	13874	Felix Quinton
5433	13886	Willey V. Miles
5457	13946	Annie C. Lamair
5674	13641	Jewis Pigott
7841	17881	Joseph Johnson
9784	21981	Wallace A. Grant
9786	21966	Pearl Foley
10804	23695	Richard E. Jordan
10787	21876	Clide Morgan

Cherokee Freedmen.

Card No.	Roll No.	Name.
476	1215	Jennie Heath
511	1297	Cora Foreman
511	1299	Harrison Foreman Jr.

The Department's instructions of June 1, 1906 (U.S.L. 6310-1906), and October 4, 1906 (U.S.L. 12228-1906), as to the proceedings to be taken with reference to these persons have been complied with. Notice, under date of March 1, 1906, of the information received as to the date of the death of the

above named persons was given by publication for four consecutive issues in "The Cherokee Advocate" and "The Claremore Messenger", both weekly newspapers of general circulation, the former published in the Cherokee Nation at Tahlequah, Indian Territory, and the latter published at Claremore, Indian Territory, in the Recording District in which the above named persons are shown to have resided at the time of their death. The first issue of this publication in "The Cherokee Advocate" was on March 3, 1904, and the first issue in "The Claremore Messenger" was on March 2, 1904. Attention was called to Section 21 of the Act of Congress approved July 1, 1902 (32 Stat., 716), and notice given to the heirs of the persons named, the administrators of their estates, or any other person having any interest in the estates of the decedents that the Commissioner would, at the expiration of sixty days from the date of the notice, recommend to the Secretary of the Interior the cancellation of the enrollment of said persons as citizens of the Cherokee Nation, unless conclusive evidence was presented to the effect that said persons were living September 1, 1902.

In addition to this notice a letter was on May 1, 1904, addressed to each of the above named persons, or his heirs, at his last known postoffice advising the information received, the law with reference to the making of the roll of

citizens of the Cherokee Nation, and that unless conclusive evidence was presented within thirty days from date to the effect that the decedent was living September 1, 1902, the Commissioner would recommend to the Secretary of the Interior the cancellation of the enrollment of said person as a citizen of the Cherokee Nation.

No information having been received that any one of the above named persons was living September 1, 1902, it is respectfully recommended that their names by stricken from the approved partial roll of citizens and freedmen of the Cherokee Nation in the possession of the Department and the Commissioner of Indian Affairs, that this office be authorized to strike their names from the copies of the approved partial roll in its possession; and that the applications for their enrollment as citizens of the Cherokee Nation be dismissed.

Respectfully,

Inel.E.J.-K18
E.E.C.

Commissioner.

Through the

Commissioner of Indian Affairs.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

LAND
97396--1904.

G P Y

August 22, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit a report from the Commissioner to the Five Civilized Tribes, dated August 9, forwarding affidavits as to the deaths of certain persons whose names appear on a partial roll of citizens and freedmen of the Cherokee Nation. Commissioner Kirby refers to Departmental letters of May 21, (I.T.D.6186-1903), June 1(I.T.D.6348-1903), October 4, (I.T.D.18218-1903) and January 18,(I.T.D.110-1904), relative to striking from the approved roll of citizens of the Cherokee Nation the names of 286 persons who are shown to have died prior to September 1, 1902.

Commissioner Kirby reports that the Department's instructions as to the proceedings to be taken with reference to these persons have been complied with, and no information having been received that any one of the persons enumerated in his report were living on September 1, 1902, he recommends that their names be stricken from the approved partial rolls of citizens and freedmen of the Cherokee Nation in the possession

of the Department and this office and that he be authorized to strike their names from the copies of the approved partial rolls in his possession and that the application for their enrollment as citizens of the Cherokee Nation be dismissed.

The affidavits have been examined in this office, and are transmitted herewith, the office concurring in the Commissioner's recommendation.

Very respectfully,

F. E. Leupp

Commissioner.

CTC-LC.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

D.C.38132
I.T.D.14714-1906.

L.R.S. August 29, 1906.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

August 9, 1906, you forwarded affidavits as to the deaths of 16 persons whose names appear on the approved rolls of citizens of the Cherokee Nation, and recommended that their names be stricken from the approved rolls of citizens and freedmen of the Cherokee nation in the possession of the Department and the Indian Office, and that you be authorized to strike their names from the copies of the approved rolls in your possession, you having complied with departmental instructions as to the proceedings to be taken with reference to these persons.

Reporting August 23, 1906, the Indian Office concurs in your recommendation. A copy of its letter is inclosed.

The Department also concurs, and you are authorized to strike the names of said persons from the copies of the approved rolls in your possession, as follows:

Cherokees by blood.

Roll No.	Name.
6249	Winnie V. Williams
6255	Hiram H. Williams
10259	[illegible]
10263	[illegible]
10264	[illegible]

Cherokees by blood.

Roll No.	Name.
10319	William A. Gifford
10357	Neeley Crawford
10404	Frank Tiblow
10414	Robert Ellis
10481	Cloid R. Dawson
10494	Clarence B. Walker
10519	Mary Thornton
10620	Frank Brown
11357	George W. Lashley
11365	Rosco Ward
11684	Jane Lowther
11797	Mark Murray
11872	Minnie B. Jackson
9578	Elmer McCoy
12396	Katie Silk
12400	Rosa Cary
12477	Robert M. Adair
28108	Betty Victory
12678	Noman L. Foreman
12784	Jess McClain
12841	Elizabeth Ward
12907	Felix Quinton
12985	Willey V. Miser
13055	Annie C. Lenoir
13641	Susie Pigeon
17221	Joseph Johnson
21921	Wallace A. Coast
21988	Pearl Folsom
29295	Richard R. Jordan
31876	Clide Morgan

Cherokee Freedmen.

Roll No.	Name.
1213	Fannie Roach
2207	Cora Foreman
2209	Harrison Foreman Jr.

Respectfully,

Jesse E. Wilson

Assistant Secretary.

1 inclosure.

Cherokee
9754.

Muskogee, Indian Territory, September 26, 1906.

Alice M. Coast,

Konawa, Indian Territory.

Dear Madam:

In connection with the application for the enrollment as a citizen of the Cherokee Nation of your son, Wallace A. Coast, who is shown to have died prior to September 1, 1902, you are advised that his name was stricken from the approved roll of citizens of the Cherokee Nation and the application for his enrollment dismissed by the Secretary of the Interior August 29, 1906.

Respectfully,

Commissioner.

LMC

Cher 9755

Mary E. McNabb

Cher 9755

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MOWATA, I.T., OCTOBER 15th 1900.

IN THE MATTER OF THE APPLICATION OF Sanford McNabb for the enrollment of his wife as a citizen of the Cherokee Nation, and he being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Sanford McNabb.
Q How old are you? A Thirty three.
Q What is your Postoffice? A Ramona.
Q In what district do you live? A Coowescoowee.
Q Who is it you want to have put on the rolls? A My wife.
Q And yourself? A No sir.
Q Just your wife? A Yes sir.
Q Is she a Cherokee? A Yes sir.
Q What is her name? A Mary E. McNabb.
Q How old is she? A Nineteen?
Q Was she born in the Cherokee Nation? A Yes sir.
Q Has she lived here all her life? A Yes sir.
Q What is the name of her father? A John Pearson.
Q Is he living? A He is dead.
Q Give me the name of her mother? A Sarah Pearson.
Q Is she living? A She is dead.
Q When did John Pearson die? A I do not know.
Q When did Sarah Pearson die? A In 1897; April 12th.
Q When did you marry your wife? A Last April.
Q Was she ever married except to you? A No sir.
Q Have you a certificate of your marriage? A Yes sir.
(1896 Roll, Page 232, #3757, Mary E.R. Pearson, Coo. Dist)

The applicant presents a certificate of admission to Cherokee citizenship, showing that on June 7th, 1878, sundry persons were admitted to citizenship by the Cherokee Commission; and among them appears the name of Sarah Pearson.
Q That was the name of your wife's mother, was it? A Yes sir.
("This is recognized as official evidence of the facts stated")

Q Can you explain why your wifes mother, having been admitted in 1878, does not appear on the roll of 1880? A No sir; I can not.
Q Did she live in the Cherokee Nation from the time of her admission in 1878 until the time of her death in 1897? A I think so.
Q Do you know whether your wife was born in the Cherokee Nation? A I have known her word and her sister's word: They claim that they were.
Q It is understood in the family that the lived in the Cherokee Nation all their lives? A Yes sir.
Q Where did the family come from? A I do not know.

The applicant presents a license issued by the Clerk of the United States Court, for the Northern District of the Indian Territory, under date of April 2nd, 1900, authorizing marriage between the applicant and Miss Mary Pearson; and the certificate shows that they were united in marriage on the 8th day of the same month, in the same year, in Pawnee County, Oklahoma, by the Reverend J. W. Perry, Minister of the Gospel. This is filed herewith, and the certificate of admission is returned to the applicant.
Q Do you know when your wifes father and mother came to the Cherokee Nation? A No sir; I do not.

The applicant applies for the enrollment of his wife: He shows that his wife's mother was admitted to citizenship by the Cherokee Commission, in 1878: His wife's mother is now dead, having died in 1897: She is not identified on the roll of 1880: The applicant's wife is identified on the roll of 1896, and he states that she is understood to have been born in the Cherokee Nation, and to have lived [illegible] her life: Her change of name is established by the marriage [illegible]

His wife's mother should be on the roll of 1880. For the further consideration of this omission, and other further reference in connection therewith, the application for the enrollment of Mary E. McNabb will at present be placed upon a doubtful card: She will be classed as a Cherokee by blood.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A. A. Chadwick

Subscribed and sworn to before
me this 15th day of October, 1900.

COMMISSIONER.

DEPARTMENT OF THE I...
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 15 1900

ACTING CHAIRMAN.

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 15 1900

ACTING CHAIRMAN.

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 15 1900 1900.

Name Ramona D.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Mary E. McNabb

~~District~~ COOWEESCOOWEE Year 1896 Page 232 No. 3797

Citizen by blood Yes Mother's citizenship Jos Pearson - d
Sarah " - d

Intermarried citizen No

Married under what law ..... Date of marriage Apr. 1900

License Filed OCT 15 1900 Certificate Filed OCT 15 1900

Names of Children:

.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....

On 1896 Roll as Mary E. Pearson
Marriage license and jurs. attached.

8590

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
NOWATA, I.T., OCTOBER 15th, 1900.

IN THE MATTER OF THE APPLICATION OF Mary E. McNabb for enrollment as a citizen of the Cherokee Nation. SUPPLEMENTARY TESTIMONY to go with Card "D" #590:
Calvin Coker, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Calvin Coker.
Q What is your age? A Past fifty.
Q What is your Postoffice? A Coodeys Bluff.
Q How long have you lived in the Cherokee Nation? A About all my life; I was born and raised here.
Q Do you know Mary E. McNabb, nee Pearson? A I know the Pearson family.
Q Do you know the girl named Mary E. Pearson? A I knew her as Emma Pearson.
Q Do you know Mr. McNabb? A No sir.
Q Did you know Emma Pearson? A Yes sir.
Q Was she born in the Cherokee Nation? A I think she was.
Q Did you know her mother? A Yes sir; Sarah Pearson was her mother.
Q Did you know her father? A Yes sir; John Pearson.
Q When did they come here? A About 1871, I think.
Q And this child, Emma was born here? A Yes sir; this youngest child; the last child they had: John Pearson died and left Sarah a widow: This Emma is the daughter of the two.
Q Do you know of any reason why the father and mother of this child were not enrolled on the roll of 1880? A I can not account for it.
Q They were here all the time? A Yes sir; that is the way I recollect it.

M§ M. Couch, being called, sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A M M. Couch.
Q How old are you? A Forty two.
Q What is your Postoffice? A Nowata.
Q How long have you lived in the Cherokee Nation? A All my life; the most part of it.
Q Did you know the father and mother of Mary E. Pearson that was, who is now Mrs. McNabb? A Yes sir.
Q Were they in the Cherokee Nation before 1880? A Yes sir.
Q Was their daughter, Mary E. born here in this country?
A Yes sir.
Q And lived here all her life? A Yes sir.
Q Do you know any reason why her father and mother were not enrolled in 1880? A No sir; they were living on my place at the time.
Q When did they come here? A I do not just recollect.
Q But you know they were here before 1880? A Yes sir.
Q Before this woman, Mary E. was born? A Yes sir.
Q Did you know of them as admitted citizens? A That was always my understanding.
Q Where did they come from? A Arkansas.
Q And they never went back to Arkansas after that up to this time? A I do not think John Pearson went back: The mother went back after he died.
Q How long did she stay there? A I do not know.
Q Did this child stay all the time in the Cherokee Nation?
A She came back when her mother did.
Q Never stayed much outside of the Cherokee Nation? A No sir; she was out there not a great while.

N. L. Parish, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:
Q What is your full name? A N. L. Parish.

Q How old are you? A Fifty two.
Q What is your Postoffice? A Goodeys Bluff.
Q How long have you lived in the Cherokee Nation? A Ever since 1874 continuously.
Q Did you know John and Sarah Pearson, the father and mother of Mary E. Pearson? A Yes sir.
Q When did they first come to the Cherokee Nation? A They came to the Cherokee Nation about 1871, or 1872; I will not be sure which.
Q Did John Pearson stay here from that time until he died?
A Yes sir.
Q Did you know of him as an admitted citizen? A No sir; I did not: They were married in the State of Arkansas, and they never was married according to Cherokee law.
Q But John Pearson was a Cherokee, was he not? A No sir; he was a white man.
Q His wife was a Cherokee, was she? A Yes sir.
Q You do not know about their being admitted? A The woman was admitted, and I have the papers that home certifying to that fact.
Q They came here in 1872, did they? A Yes sir.
Q Did they stay until John Pearson died? A Yes sir.
Q When did John Pearson die? A I think about the Winter; the later part of 1883, I think it was, or 1884; I will not be sure.
Q He died after this girl, Mary E. was born? A Yes sir.
Q Then the mother; did she live principally in the Cherokee Nation until she died? A She went to Arkansas; you might say on a visit.
Q This has been recognized as the home of Mary Emma Pearson all the time, has it? A Yes sir.

This evidence appears to establish beyond controversy that the father and mother of Mary Emma Pearson, now McNabb, were living in the Cherokee Nation prior to the time that Sarah Pearson was admitted to citizenship, and that they continued so to live until after the roll of 1880, and until after the birth of Mary E. Pearson, now McNabb. And it appears fully established that her home has been continuous in the Cherokee Nation from the time of her birth until now, and all objection to her enrollment is considered removed.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before
me this 16th day of October, 1900.

MARRIAGE LICENSE

United States of America, INDIAN TERRITORY, Northern District } ss.

No. 148

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. Sanford McNabb of Ramona, in the Indian Territory, aged 32 years, and Miss Emma Pierson of Ramona, in the Indian Territory, aged 19 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Muscogee, Indian Territory, this 2 day of April, A. D. 1904

C A Davidson
Clerk of the U. S. Court.

By P M Ford Deputy.

CERTIFICATE OF MARRIAGE.

United States of America, INDIAN TERRITORY, Northern District } ss.

I, J A Perry, a Minister of the Gospel,

DO HEREBY CERTIFY, that on the Eighth day of April, A. D. 1904

I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this Eighth day of April, A. D. 1904

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book ..... Page .....

Pawnee, Co. Okla.
J A Perry

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 15 1900

CERTIFICATE OF RECORD.

United States of America,
INDIAN TERRITORY,
Northern District. } ss.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 12 day of April 1900, at ..... M., and duly recorded in Book J, Marriage Record, Page 373

WITNESS my hand and seal of said Court at Muscogee, in said Territory this 14 day of April A. D. 1900

Chas. A. Davidson Clerk.

By ..... Deputy.

FILED
APR 12 1900
CHAS. A. DAVIDSON
Clerk, U. S. Courts
NORTHERN DISTRICT
INDIAN TERRITORY

2670 E

20

IN RE

Application for Enrollment of

INFANT, CHILD

Clifford S. McGath

as a citizen of the

Cherokee Nation.

Approved, MAR 22 1901 190

T. B. Needles

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 22 1901

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Clifford S McNabb, born on the 11th day of March 1901.
(Here insert name of child.)
Name of Father: Sanford McNabb, a citizen of the ~~United States~~ Cherokee by Marriage Nation.
Name of Mother: Mary E McNabb, a citizen of the Cherokee Nation.
Post-office, Ramona Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Northern District. }

I, Mary E McNabb, on oath state that I am 20
years of age and a citizen, by Blood, of the Cherokee Nation;
that I am the lawful wife of Sanford McNabb, who is a citizen, by
~~birth, intermarriage, adoption~~ of the ~~United States~~ Cherokee Nation; that a Male (male or female) child was
born to me on the 11th day of March 1901; that said child has been
named Clifford S McNabb, and is now living.

WITNESSES TO MARK: }
(Must be Two Witnesses.) }

Mary E McNabb.

Subscribed and sworn to before me this 16th *day of* March 1901.

Jas L Drummond
NOTARY PUBLIC.

My Com Exp 1/14/1903

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Northern District. }

I, C. K. Tillion, a Physician, on oath state that I
attended on Mrs. Mary E McNabb, wife of Sanford McNabb
on the 11th day of March, 1901; that there was born to her on
said date a Male (male or female) child; that said child is now living and is said to have been
named Clifford S McNabb

WITNESSES TO MARK: C K Tillion

}

Subscribed and sworn to before me this 16th *day of* March 1901.

Jas L Drummond
NOTARY PUBLIC.

My Com Exp 1/14/1903

"B"

Cherokee D 590

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 6,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Mary E. McNabb for the enrollment of herself and child as Cherokee citizens.

Appearances:
Applicant's husband, Sanford McNabb, for applicant;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant's husband, Sanford McNabb, was notified by registered letter February 13,1902, that the application of his wife for enrollment of herself and child as citizens of the Cherokee Nation would be taken bup for final consideration by the Commission iat its offices in Muskogee, Indian Territory, on the 5th day of March,1902; applicant's husband this day to-wit: the 5th day of March,1902, appears in person.

SANFORD McNABB, being first duly sworn and being examined testified asfollows:
BY COMMISSION:
Q What is your name? A Sanford McNabb.
Q Where do you live? A Oglesby, Indian Territory.
Q Are you the husband of Mary E. McNabb, and the father of Clifford S. McNabb, the applicants before the Commission for enrollment as citizens of the Cherokee Nation? A Yes sir.
Q Have you any statement you desire to make relative to their application for enrollment as citizens? A I have no statement only I didn't have time to get that re-admission paper.
Q When was your wife re-admitted? A She was not re-admitted, her mother was re-admitted; I couldn't tell you; I have not had time to get the papers, I just got the notice Monday, and the paper is in the hands of her brother and I don't know where he is. I introduced evidence as to her citizenship at Vinita, Indian Territory.
Q What was your wife's mother's name? A Sarah Pearson.
Q How old is your wife? A She was 21 years old February 14 last I believe.
Q She was born since then? A Yes sir, she was born since 1880.
BY COMMISSION:
Q Will ten daysbe sufficient time for you to produce the evidence requested? A I think so.
Q Aside from that evidence do you submit the case to the Commission for final consideration? A Yes sir.
BY COMMISSION: Sanford McNabb in behalf of his wife and child, and the Cherokee Representative in behalf of the Cherokee Nation, submit the case, same is ordered closed and reported to the Commission for final decision based upon the evidence now of record, in addition to the evidence of admission of themother of the applicant; the applicant to supply the same within ten days.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly reported the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M.D. Green

Sarah Pearson, Georgiana Morgan, Wm Daniels and others.

Nos 20–26.

vs

Cherokee Nation.

Claim of Citizenship. before the Commission on Citizenship.

Sitting at Tahlequah C. N.

June 7th 1878.

Two cases Nos. 20–26, are consolidated after the testimony was taken separately in each case and statements were filed in compliance with the Rules of the Commission. Claimants allege cherokee blood. That they applied to the National Council for a recognition of their claims, and that no adjudication was had on said applications.

The Commission, since all the claimants in Nos. 18. 20–26, are claiming from the Ratcliffe Family, have looked to all the testimony in old Nos and make the decree in No. 18. the decree in Nos 20–26. That Sarah Pearson, Georgiana Morgan, Roxana, Kelly Jane, Rebecca Pearson, Alexander Daniels, Wm Daniels, Jane Daniels, Margaret Daniels, Mary A. Daniels, [illegible]

were on the 1st June Davis, children of Rebecca Davis, formerly Rebecca Cobb be and they are hereby declared Cherokee Citizens with all the rights and privileges of such. And that a decree be entered in accordance therewith and the same certified to Mrs Davis and Sarah Rainer.

Jno. Chambers Pres't
George Downing
O. P. Bowers

Attest:
D. L. Nicholson
Clerk Com'n

RECEIVED
APR 04 1902
BY LAND
FROM THE SECRETARY OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
ACTING CHAIRMAN

Cherokee D 690

Sarah Pearson, Georgiana Hogan, Wm Daniels and others,

vs.

Nos 20 - 26. Cherokee Nation.

Claim of Citizenship before The Commission on Citizenship.

Sitting at Tahlequah, C.N. June 7th, 1878.

Two cases Nos. 20 - 26, are consolidated after the testimony was taken separately in each case and statements were filed in compliance with the Rules of the Commission. Claimants allege Cherokee blood. That they applied to the National Council for a recognition of their claims; and that no adjudication was had on said applications.

The Commission, since all the claimants in Nos. 15, 20 - 26, are claiming through the Ratcliffe Family, have looked to all the testimony in said Nos and make the decree in No. 15, the decree in Nos 20 - 26. That Sarah Pearson, Georgiana Hogan, Roxana, Kelly Jane, Rebecca Pearson, also Alvin Daniels, Wm Daniels, Jane Parrish a married woman Joseph Daniels, Mary A. Ballard, a married woman, Missouri Ann Baw, a married woman and James Daniels, children of Rebecca Daniels, formerly Rebecca Coker, be and they are hereby declared Cherokee Citizens with all the rights and privileges of such. And that a decree be entered in accordance therewith and the same certified to Wm Daniels and Sarah Pearson.

John Chambers, Pre't.
George Downing
O. P. Brewer

Attest:
D. L. Nicholson
Clerk. Com'n

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above and foregoing is a true and correct copy of the original as it is in this office.

Lilla Mulberry

MARRIAGE LICENSE.

Cherokee D 590

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

No. 148

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. Sanford McNabb, of Ramona, in the Indian Territory, aged 32 years, and Miss Emma Pierson of Ramona, in the Indian Territory, aged 19 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 2 day of April A. D. 1900

(S E A L)

C. A. Davidson
Clerk of the U. S. Court.

By P. M. Ford Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, J. M. Perry, a Minister of the Gospel, Do Hereby Certify, that on the eighth day of April, A. D. 1900, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this eighth day of April

My [illegible] expires [illegible]

[illegible]

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, Charles A. Davidson, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 12 day of April 1900, at ____ M., and duly recorded in Book 8, Marriage Record, Page 373.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 14 day of April, A. D. 1900

Chas. A. Davidson Clerk.

By ____ Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., May 20, 1902.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Mary E. McNabb et als citizens of the Cherokee Nation.

Lula Mieling

Cherokee D 590

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Sanford McNabb for the enrollment of his wife, Mary E. McNabb, and his minor child, Clifford S. McNabb, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on October 15, 1900, the applicant, Sanford McNabb, appeared before the Commission at Nowata, Indian Territory, and then and there made personal application for the enrollment of his wife, Mary E. McNabb, as a citizen by blood of the Cherokee Nation. Supplemental Testimony in the matter of this application was taken on the same day and at the same place, and on March 5, 1902, at Muskogee, Indian Territory, further evidence in the matter of this application was heard.

It appears from the evidence in this case that Sarah Pearson, the mother of Mary E. McNabb, nee Pearson, was admitted to all the rights and privileges of Cherokee citizenship on June 7, 1878, by the Commission on citizenship of the Cherokee Nation. The applicant, Mary E. McNabb, had not been born at the time of her mother's admission.

It further appears from the evidence in this case that Mary E. McNabb, a native Cherokee, and Sanford McNabb, a white man, were married on April 8, 1900. Thereafter, on March 11, 1901, a male child, Clifford S. McNabb, by name, was born to Mary E. McNabb and her husband, Sanford McNabb, and proper proof of his birth has been furnished this Commission.

Mary E. McNabb is identified on the Cherokee Census roll of 1896 as "Mary E. Pearson", her maiden name. The applicant, Mary E. McNabb, was born in the Cherokee Nation and has lived there all

most all her life.

The authority of the Commission herein is defined in Paragraph 1, Section 21, of the Act of Congress June 28, 1898. (30 Stats., 495.)

It is therefore the opinion of this Commission that Mary E. McNabb and Clifford S. McNabb are lawfully entitled to be enrolled as members by blood of the Cherokee Tribe of Indians in Indian Territory and that the application for their enrollment as such should be granted and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 13, 1902.

Mr. Sanford McNabb,

Ramona, Indian Territory.

Sir:-

You are hereby notified that the application of Mary E. McNabb and one minor child for enrollment as citizens of the Cherokee Nation will be taken up for final consideration, by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

5th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certificate of readmission of Mary E. McNabb.

Yours truly,

[illegible]
Secretary.

[illegible]
Commissioner in Charge.

Ft

D590

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

ACTING CHAIRMAN

COPY

Cherokee B 590.

Muskogee, Indian Territory, September 29, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Sanford McNabb for the enrollment of his wife, Mary E. McNabb, and his minor child, Clifford E. McNabb, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

[illegible]

D. - 776.

COPY

Muskogee, Indian Territory, October 15, 1902.

Sanford McNabb,

Ramona, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Mary E. McNabb and your minor child, Clifford S. McNabb, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge.
Acting Commissioner.

Enclosure C. No. 1.

Register.

...ectful as to ..., William.

Department of the Interior
Commission to the Five Civilized Tribes,
Muskogee, I.T. October 15, 1900.

In the matter of the application of Eliza E. Matteson for the enrollment of herself, husband and children as Cherokee citizens, being sworn and examined by Commissioner Needles she testified as follows:

Q What is your name? A Eliza E. Matteson.
Q What is your age? A 38.
Q What is your postoffice address? A Muskogee.
Q In what district do you live? A Tahlequah.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir
Q By whom? A Adoption.
Q What is your father's name? A William Booth.
Q Is he living? A No sir.
Q What is yourmother's name? A Jane Adams.
Q Is she living? A No sir, she is dead.
Q For whom do you apply for enrollment? A Myself and family, husband and children.
Q What are the names of your children? A Frank Hitchens.
Q How old is Frank Hitchens? A 14.
Q What is the name of your next child? A Walter W. Matteson.
Q How old is he? A He is 7.
Q Have you any other children? A Leo V. Matteson.
Q How old is he? A He is 4.
Q Next one? A Cora H., she is 15 months old.
Q Is that all of your children? A Yes sir.
Q What is the name of your husband? A William Matteson.
Q Is he a citizen of the Cherokee Nation? A Yes sir, he is by marriage, he is a Modock.
Q Have you any certificate ofmarriage? A Yes sir(Produces papers)
Com'r: Applicant presents certificate of marriage under date of May 18 1891, certifying that William Matteson and E. E. Booth were united in marriage, the said certificate being signed by Andrew D. Jacke Minister of the Gospel.
Q What was your name before you were married? A Booth, I have been married twice, my name was Hitchens before I married Matteson, I had a divorce and went by the name of Booth again.
Q How many times have you been married? A Twice.
Q What was your maiden name? A Booth.
Q Your first husband was named Hitchens? A Yes sir.
Q Is he living? A No sir.
Q Was he dead at the time of your married to Matteson? A No sir I had a divorce; I brought it with me.(Produces papers)
Com'r: This isn't it, this is life insurance papers.
Applicant: I got hold of the wrong paper then.
Q Did you retain your maiden name after your divorce? A Yessir
Q Where was the divorce granted? A I got it through Council, Cherokee Council.
Q Your divorce then was granted by the Cherokee Council? A Yes sir.
Q You have got that certificate of divorce have you? A Yes sir
Com'r: You can bring it up to us.

WILLIAM MATTESON, being sworn and examined by Com'r Needles testified as follows:

Q What is your name? A William Matteson.
Q [illegible] Eliza E. Matteson? A Yes sir.
Q What is your age? A 45.
Q How long have you been a resident of the Cherokee Nation?

A Ten years.
Q Where did you reside before that? A In the Creek Nation.
Q How long have you been a resident of the Indian Territory?
A I have been in it all my life.
Q Where were youborn? A I was born up here in Miami County, Kansas, that is, among the Miami Indians.
Q How long did you live up in Miami County? A I staid there until 1871.
Q Have you been living in the Indian Territory since 1871?
A Yes sir, I have lived in the Cheyenne and Arrapahoe Reservation at Anadarko.
Q How long did you live there? A I was there until 1884.
Q Then where did you go? A I went to the Creek Nation.
Q Have you been livingin the ~~Muscogee~~ Creek and Cherokee Nations since 1884? A Yes sir
Q What blood are you? A Modock, my ~~father~~ mother was a Modock.
Q What was your father? A He was a white man.
Q Were you ever recognized as a citizen of the Creek Nation?
A Yes sir, I was at one time, in 1884.
Q Did you ever assume any of the duties of citizenship, and vote?
A No sir, I never did.
Q When you say you were recognized by the Creek Nation? A Well when they taken the census the Chief, I went to him and he said I was recognized as a Creek citizen; they would recognize me as a Creek citizen.
Q Did you ever vote there? A No sir.
Q You came from the Creek Nation to the Cherokee Nation? A Yessir
Q Have you ever been recognized as a Cherokee citizen? A I suppose I have; I have always voted here.
Q Did you ever draw any moneys? A Yes sir, I drawed moneys not for myself personally; just only for ~~myself~~ my family.
Q You never drew for yourself? A No sir
Q They have recognized you that far, as to permit you to draw the money? A Yes sir.
Q They rather recognized you then as an intermarried citizen? A Yes sir, I suppose so.
Q You never drew money for yourself? A No sir.
Q You voted A Yes sir

1880 roll page 265 #1210 as Sweetie Hitchens Delaware District;
1896 roll page 347 #269 Eliza Matterson Coowescoowee District;
1896 roll page 316 #719 William Matterson "
1896 roll page 3 4 #230 as Frank Hitchings "
1896 roll page 347 #270 Walter Matterson "
1896 roll page 347 #271 Leo Matterson "

Q You didn't get any license did you? A No sir, I asked the clerk of the district about their license and he said they didn't require them at that time, that is for a recognized citizen from the other countries here, that is where they were Indians by blood, and didn't require them to get a license; that's the reason I didn't get a license at that time.
Q You just married according to the Indian law, as though you were an Indian? A Yes sir.
Q How long have you lived continuously in the Cherokee Nation?
A I have been here ever since I came here, I have been here 10 years, I have never been out of the Cherokee Nation only as a citizen in going into the States.

APPLICANT RE-CALLED:

Q Mrs. Matteson, how long have you lived in the Cherokee Nation?
A [illegible] 1871, excepting just —
Q And the children that you expect, are they all alive and living with you?
Q [illegible]
A [illegible]
Q How long did they [illegible]
there last year?

the Gulf Road.

Wm. Matteson re-called:

~~Upon cross examination by the Court testified that I was enrolled in 1894, and I was on that census roll~~

Q Does your name appear upon any of the Creek rolls? A I think it is upon one census ; they taken the census there when I was there in 1884, and I was on that cens s roll in 1884

Q Did you ev r vote in the Creek Nation? A No sir I never did vote there; there wasno elections there while I was there.

Q Did you ever receive any moneys there. A No sir, I was working on a cow ranch while I was there in the Creek Nation.

~~Q Did you ever vote in any of the Indian Nations except the Cherokees?~~ A N° sir.

Com'r Needles: The name f Eliza E. Matteson appears upon the authenticated roll of 1880 as Sweetie ~~Ann~~ Hitchens, Hitchens being the name of her husband at that time; being fuly identified as Eliza E.; her name appears upon the census roll of 1896 by the name of her present husband, Matteson; the names of her children Frank Hitchens, as a child by her first husband, and Walter W. Matteson, and Leo V. atteson, appear upon the census roll of 1896, and she presents satisfactory proof of birth as to her youngest child, Cora H., whose name does not appear upon the census roll of 1896, she having been born after the same was compiled; she being duly identified and having made satisfactory proof as to her residence, said Eliza E. Matteson and her said children as enumerated herein will be duly listed for enrollment as Cherokee citizens of Shawnee blood.

By reason of the conflicting testimony as to the citizenship of her husband, William Matteson, final decision as to his enrollment as a Cherokee citizen by intermarriage will be suspended, and his name willbe placed upon a doubtful card.

M.D.Green, being first duly sworn, states that as stenographer to the Commision to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 16th day of October 1900.

C Whitehead

Commissioner.

F-649

(8)

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 16 1900

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date ..... 1900.

Name William Matteson Nowata

District COOWEESCOOWEE. Year 1896 Page 316 No. 719

Citizen by blood yes Mother's citizenship .....

Intermarried citizen yes

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Doubtful

Names of Children:

.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....

"R"

Cherokee D 599

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 5,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of William Matteson for the enrollment of himself as a Cherokee citizen:

Appearances:
J.H.Keith, Coffeyville, Kansas, representing J.A.Tillotson, Nowata, I. T., attorney for the applicant;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 13,1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up by the Commission for final consideration at its offices in Muskogee, Indian Territory on the 5th day of March,1902; receipt has been acknowledged of the Commission's letter, and the applicant this day, to-wit: the 5th day of March,1902, appears by his attorney, J.H.Keith, representing J.A.Tillottson, Nowata, I. T.

COMMISSION TO ATTORNEY KEITH: Any statement you desire to make in the case? A No sir.

BY COMMISSION: There is offered in evidence a certified copy of a decree of divorce between Eliza Ellen Hitchen and Richard M. Hitchen.
BY COMMISSION OF ATTORNEY KEITH: You submit the case on behalf of the applicant? A I presume so; I will state that the woman, Mrs. Hitchen is now Mrs. Matteson.

BY COMMISSION: The attorney for the applicant in behalf of the applicant and the attorney for the Cherokee Nation in behalf of the Nation submit the case; same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

I, M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

7th Eliza Ellen Hitchen (Divorce.
Vs (Judgement by default and petition
Richard M.Hitchen (granted as prayed for.
This May 6th 1890.

Executive Office Cherokee Nation,
Tahlequah Ind.Ter.

I,B.W.Alberty,assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from record of the Circuit Court of Delaware District Cherokee Nation,and all said record shows in regard to said case; that said record has been filed in this Office by law and is in my legal custody.

Given under my hand and the seal of the Cherokee Nation this the 27th day of February 1902.

B. W. Alberty
Assistant Executive secretary,
Cherokee Nation .

D 599

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 5 1902



FILED
MAR 3 1902

E
D599

Cherokee-D- 599

Claremore, May 18th 1891

This certifies that Wm. Matteson and E. E. Booth were this day united in marriage by me.

Andrew D. Jacke,

Minister of the Gospel.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the originaY offered in evidence in the matter of the application for the enrollment of William Matteson as a citizen of the Cherokee Nation.

Muskogee, Indian Territory.

June 13, 1902.

W. S. Hanfman

Cherokee-D- 599

7th Eliza Ellen Hitchen) Divorce
vs) Judgment by default and petition
Ritchard M. Hitchen) granted as prayed for this May 6th,1890.

Executive Office Cherokee Nation.

Tahlequah, Ibd. Ter.

I, B. W. Alberty assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from record of the Circuit Court of pelaware District, Cherokee Nation, and all said record shows in regard to said case; that said record has been filed in this Office by law and is in my legal custody.

(SEAL) Given under my hand and the seal of the Cherokee Nation this the 27th day of February 1902.

B. W. Alberty
Assistant Executive secretary
Cherokee Nation.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for the enrollment of William Watteson as a citizen of the Cherokee Nation.

Muskogee, Indian Territory
June 14,1902.

W B Kaufman

Cherokee-D- 899

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of William Matteson as a citizen of the Cherokee Nation.

D E C I S I O N:

The record in this case shows that on October 16, 1900, Eliza E. Matteson appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment, among others, of William Matteson as a citizen of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 5, 1902. The other parties to the application are differently classified and are not embraced in this decision.

The evidence shows that the said William Matteson was lawfully married to Eliza E. Booth a citizen by blood of the Cherokee Nation on May 18, 1891. His said wife had been formerly married to Richard M. Hitchen, from whom she was divorced prior to her marriage to the applicant herein. The said Eliza E. Matteson is identified on the 1880 authenticated tribal roll of the Cherokee Nation under the name of Sweetie Hitchens, and on the Cherokee Census roll of 1896. The said William Matteson is identified on the 1896 Census roll of the Cherokee Nation.

The evidence further shows that the said William Matteson is a Modoc Indian by blood, and that he was a member of the Modoc tribe of Indians in Indian Territory at the date of his marriage to his wife, Eliza E. Section 670, Compiled Laws of the Cherokee Nation, (1892) provides:

> "Whereas, quite a number of our own citizens have intermarried with Indians, members of other tribes of this Territory, and it has always been the custom of the Cherokee people to recognize such marriages as lawful until the taking of the last census, when their rights as citizens were called in question; therefore, any Indian, a member of any of the tribes of this Territory, who has married, or shall hereafter marry a Cherokee, a citizen of this Nation at the time of such marriage, in accordance with the law, regulating marriage between native citizens thereof shall be, and is hereby, deemed a Cherokee to all intents and purposes, and entitled to the rights of other Cherokees."

The evidence further shows that the said William Matteson has lived with his wife in the Cherokee Nation since his marriage to her, and that he was a resident of said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that William Matteson should be enrolled as a citizen of the Cherokee

Nation with all the rights of a native Cherokee, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

Cherokee 9756.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE LAND OFFICE,
TAHLEQUAH, I. T., APRIL 28, 1904.

In the matter of the application for the enrollment of WILLIAM MATTESON as a citizen by blood of the Cherokee Nation.

CHEROKEE NATION REPRESENTED BY W. W. HASTINGS:

APPLICANT REPRESENTED BY E. B. LAWSON, ATTORNEY:

William Matteson, being first duly sworn and examined, testified as follows:

BY THE COMMISSION:

Q What is your name? A William Matteson.
Q How old are you? A I am forty-nine years old.
Q What is your post-office address? A Nowata, Indian Territory.
Q Are you an Indian by blood? A Yes sir.
Q What kind? A Modoc: my father was a white man, and my mother was a Modoc Indian.
Q You are claiming citizenship in the Cherokee Nation by virtue of your Modoc blood, are you not? A Yes sir:

By E. B. LAWSON:
Now, at this time, on the part of the applicant, I desire to enter my objection to this testimony being taken, as this case has never been re-opened.

BY THE COMMISSION;
The objection will be noted.

By Mr. Hastings:

Q How old are you? A I am going on forty-nine years old.
Q When were you first married? A The first marriage---that is--- I first had a Cheyenne woman by the name of Booth.
Q How long did you live with her? A I lived with her about a year.
Q Have any children by her? A No sir.
Q Were you divorced from her? A We didn't have to get divorced; we bought the marriage.
Q You bought her, did you? A Yes sir.
Q Men bought their women? A Yes sir.
Q You lived with her according to their custom? A Yes sir.
Q Where was that? A That was at Cheyenne Agency.
Q In Wyoming? A No sir, in Cheyenne Agency, in Oklahoma.
Q When did you leave her? A She died in '77.
Q While you were living with her? A Yes sir.

Q When were you next married? A Well, I was not married then. I was married to a woman down in the Creek Nation.
Q What was her name? A Liddie Childers.
Q She was, then, your second wife---the second woman you had lived with as husband and wife? A Yes sir.
Q Were you separated from her, or did she die? A She is living.
Q Where is she living? A She is living at Tulsa.
Q Were you ever divorced from her? A I was not divorced, I was arrested and sent to Illinois at the Penitentiary and she was married when I was there.
Q And you were not divorced from her? A No sir. I was sent there for five years.
Q What is her present name? A Now?
Q Yes? A She married a man by the name of Cox, that is, she married then and she may have married again since then.
Q You don't know her present name? A No sir.
Q You were sent to the Penitentiary? A Yes sir.
Q You were living with her when you were sent there? A Yes sir.
Q Who married you to her? A Legus Perryman.
Q In what capacity was he acting? A He was something; I don't know whether he was Chief or not---no he wasn't Chief, he was acting as a Minister.
Q You recognized that he had authority to perform a marriage ceremony? A Yes sir.
Q About when were you married to the Childers girl? A In '84.
Q And when were you sent away? A In '85.
Q Have any children by her? A Yes sir, one child.
Q You were sent away then for five years? A Yes sir, but I got a pardon.
Q How long were you gone? A About two years and six months.
Q Of what were you convicted? A Assault with intent to kill.
Q When you came back you found your wife married? A Yes sir.
Q And you then afterwards married? A Yes sir, the woman I am living with now.
Q You never got a divorce from Liddie? A I got a notice and she got a divorce or something; I don't know just how.
Q You have no record of that? A No, I didn't keep any record of that.
Q And you don't know anything of that personally? A No sir.
Q Well, are the three times you have told about the only times that you have ever been married? A Yes sir, they are the only times.
Q You never lived with another woman as your wife? A No sir, I never did.
Q What is your present woman's name? A Lizzie E. Matteson; she was a Booth and then she married a fellow named Hitchings. They called her Sweetie---that is the way its on the roll. That's a nick name.
Q Now, let's see, her maiden name was Booth? A Yes sir.
Q Was she ever married except to this man Hitchings before she was married to you? A No sir, she was married when she was sixteen or seventeen years old.
Q How long have you known her? A I have known her about thirteen years.
Q She had separated from Hitchings of course when you married her? A Yes sir.
Q When were you married to her? A I think in 1891.
Q On what date? A On the 18th day of May.
Q Are you and your wife living together now as husband and wife?
A Yes sir.

Q Have you lived together continuously since the 18th day of May, 1891? A Yes sir.
Q Never separated? A No sir.

By E. B. Lawson:

Q Your second wife, she was an Indian of what tribe? A She was a Creek Indian---a citizen of that Nation.
Q Are you a Modoc Indian? A Yes sir.
Q You state that you received some notice that she had procured a divorce from you? A Yes sir.
Q What notice was that? A Why, it was some notice that she was securing a divorce, but I don't remember how it read. He had the title.
Q When was that? A I think that was somewhere in '89 or--not it--well, I can't tell you just exactly when it was.
Q Was it before or after your marriage to this woman now? A It was before that marriage; I believe I was staying at Vinita at that time.
Q That is when you got a notice that she was procuring a divorce? A Yes sir.
Q How long did you live with your second wife? A I lived with her about---somewhere in the neighborhood of a year. I don't think it was quite a year but somewhere in that time. We were married in '94 and it might have been a year, but I couldn't say positively about it---about the time, how long it was.
Q Do you know whether any license was procured when you married this second woman? A It was not required. I went to the Chief himself and asked him about it and he said it was not necessary in the Territory and I had always been recognized as an Indian all my life and he said it was not necessary to procure a license at the time when I married this woman.
Q About how long after your marriage to her did you understand this divorce was procured? A Well it was something like---I'll tell you about that divorce business right now; I remember it distinctly. It was this way. She went and writ me a letter to Illinois and now when I go to think about that she was going to get a divorce and marry Burrell Cox and he was living with her when I cam back here from Illinois.
Q And you never lived with her any more? A No, I went to see her and lived with her a week or more and then stopped at Tulsa and started a Butcher Shop, but I didn't want to stop up there where she lived. They had a child, a little girl, but she was married to Cox and of course I didn't feel right around there and so I went to Nowata and got married.

By Mr. Hastings:

Q Then what you stated with reference to the procurement of a divorce or going to get a divorce is the information you received from the letter that she wrote you; that is all the information you received? A Yes sir.
Q She said in there that she was going to get a divorce? A Yes sir, that she was going to marry Burrell Cox.
Q And that is all you know about the divorce business? A Yes sir, that is all I know.
Q You never made any inquiry of her or anyone else? A No sir, I saw her but never talked to her about it.
Q Were you recognized as a citizen when you were in the Creek Nation? A Yes sir.

Q Did you own any property down there? A I did down at Red Fork; I owned a livery barn and a piece of property there.
Q Were you recognized as a citizen of the creek nation when you were sent away? A Yes sir.
Q You were recognized as a citizen of the Creek Nation even after you came back? A Yes sir.
Q How long had you been recognized as a citizen of the Creek Nation before you were sent away? A Well as long as I was in the Creek Nation?
Q That is just what I am trying to find out? A I was married to this woman.
Q Well were you recognized before you were married to this woman? A Yes sir.
Q How long? A About two years. I was---I went to the Creek Nation about a year before I was married.
Q I want to ask you ~~xxx~~ if you were recognized as a citizen? A I suppose that I was a recognized citizen. I told them just what I was when I first came.
Q Have you been recognized as a citizen of the Cherokee Nation ever since you married this woman, Eliza E. Matteson? A Yes sir.
Q Voted? Q Exercised the rights of suffrege since that time? A Yes sir.

BY THE COMMISSION:

Q Is your name on the Creek rolls? A I think they took a census and I think my name is on the rolls there.
Q Have you ever drawn money? A No sir.
Q Voted? A No sir.
Q Where was your wife living when she wrote you this letter? A At Tulsa.
Q Had she ever been married before you married her? A No sir, not that I know of.

BY THE COMMISSION:
This case is continued to be taken up again by agreement.

-----o-----

I, George R. Smith, being first duly sworn and examined, state that, as stenographer to the Commission to the Five Civilized Tribes, I reported the proceedings in the above entitled cause and that the same is a full and complete transcript of my stenographic notes thereof.

George R. Smith

Subscribed and sworn to before me this 29th day of April, 1904.

Notary Public.

9756

FILED
MAY 14 1904

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 13, 1902.

Mrs. Eliza E. Matteson,

Nowata, Indian Territory,

Madam:-

You are hereby notified that the application of William Matteson

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 5th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certificate of divorce from your former husband Kitchens.

Cherokee D-899
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

D599

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

CHAIRMAN

Cherokee D 899.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Elise E. Matteson for the enrollment of William Matteson as a citizen of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. E. No. 1.

COPY.

Cherokee D 599.

Muskogee, Indian Territory, October 27, 1902.

Eliza E. Matteson,

Nowata, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of William Matteson as a citizen by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge.
Commissioner in Charge.

Register.
Enclosure K. No. 40.

COPY.

Cherokee D 369.

Muskogee, Indian Territory, October 30, 1902.

J. A. Tillotson,
Attorney for William Matteson,
Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Eliza E. Matteson for the enrollment of William Matteson as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby
Acting Chairman.

Register.

Enclosure K. No. 81.

Cher 9757
Noah Reese

Cher 9757

Department of the Interior,
Commission to the Five Civilized Tribes,
Ft. Gibson, I.T., August 31, 1900.

In the matter of the applicationof Tuxie O. Reese for the enrollment of himself and one child as Cherokeecitizens; being sworn and examined by Commissioner Breckinridge he testifies as follows:

Q What is your full name? A Tuxie O. Reese.
Q What is your age? A Twenty-three.
Q What is your post-office? A Braggs.
Q What is your district? A Illinois.
Q Who is it you want to have enrolled? A Myself and one child.
Q Do you apply for yourself as a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee nation? A All my life.
Q How long have you lived in Illinois District? A I came here last fall.
Q From what district were you enrolled in 1880? A Canadian.
Q In 1896 in what district? A Canadian I think
Q Give me the name of your father? A Charles P: Reese.
Q Cherokee or a white man? A Cherokee.
Q Deador alive? A Alive.
Q Give me the name of your mother? A Nellie Reese.
Q Cherokee or a white woman? A Cherokee.
Q Dead or alive? A Alive.
Q Give me the name of this child? A Noah Reese.
Q How old is the child? A Seven months old.
Q What is the name of the child's mother? A Mary M. Reese.
Q How old is she? A Twenty-seven.
Q She is your wife is she? A Yes sir.
Q What was her namebefore she was a Reese? A Hall.
Q Was that her maiden name, or was she a widow when you marriedher?
A Yes sir, she was a widow.
Q Her present name is Reese, right before that her name was Hall, right before that her name was what? A Kendricks.
Q What was she before she was a Kindricks? A That 's all I know.
Q What was her name when she was a child? A Hall.
Q Did she ever marry a man named Hall? A No, Kendricks.
Q Then your wife's maiden name was Hall? A Yes sir.
Q Those are all the names she ever had? A Yes sir.
Q Give me your wife's father's name? A John M. Hall.
Q Is your wife a Cherokee or a white woman? A White woman.
Q John M. Hall then was a white man? A Yes sir.
Q Is he dead or alive? A He is alive.
Q Give me the name of your wife's mother? A Ellen Hall.
Q She a white woman? A Yes sir.
Q Is she deador alive? A Alive.
Q When did you marry your wife? A 1898.
Q Was her huband Kendricks dead when you married her? Yes sir.
Q When did Kendricks die? A I don't know; I couldn't tell you.
Q Do you know he was dead? A Yes sir.
Q Was he a Cherokee or a white man? A White man.
Q Have you got a certificate of yourmarriage? A Yes sir.
(Produces certifdate)
Com'r Breckinridge: The applicant produces duly authenticated marriage license and certifdate, showing that he was married to his wife on December 15 1898; ~~xxx~~ by Frank M. Allee; these documents are of record in book G page 272 United States Court at Muskgee; but the marriage license shows that the name of his wife at the time of her marriage to him was Hall instedd of Kendricks.
Q Had your wife been s parated from her husband Kendricks?
A No sir.

Q What was she doing, marrying you under the name of Halll when she had been married to a Kendricks? A She just signed as a Hall all the time, that's all I know.

JOHN CALVIN HALL, being sworn and examined by Commissioner Breckinridge testifies as follows:

Q What is your full name? A John Calvin Hall.
Q What is your age? A Ninet een.
Q What is your p ost-office? A Braggs.
Q Do you know Mr. Reese here, this applicant? A Yes sir.
Q Do you know his wife? A Yes sir.
Q Is she your sister? A Yes sir.
Q She was married before she married him wasn't she? A I could n't tell you , I wasn't there.
Q Did you ever hear of her being married before she married her present husba d? A I never did.hear they say anything about it.
Q Where did she live whenshe married Mr. Reese? A She lived ober here about Muskogee.
Q Was she living where you were living? A No sir.
Q Did you see her frequently during the time a few years before she married Mr. Reese? A Yes sir, I seen her, I don't know how oft n, before they were married.
Q You were in the habit of seeing her from time to time were you?
A Yes sir.
Q And you never heard of her being married before at all?
A No sir.
Q Did you ever hear of a man named Kendricks, as her husband?
A Yes sir.
Q Did you ever he ar of his being her husband? A I never heard of him being her husband.
Q Did they ever live together as man and wife? A No sir, not as I know of.
Q Mr. Reese here testifies that your s ster was married to this man Kendricks, and that they lived together as husband and wife, and yet you testify that you were seeing your sister and never even heard of her being married? A No sir.
Q And you also knew Kendricks you say? A Yes sir, I knew him he used to stay with me awhile.
Q Used to stay with you? A Yes sir, my father.
Q What was the full name of this man Kendricks? A I couldn't tell you.
1880 roll for applicant,page 43 #1165 Lewis Reece Canadian Dist.
1896 roll page 63 #1728 Tuie Reese Canadian District.
Q What was Kendricks full name? A Kend ricks is all I know.

Com'r Breckinridge: The applicant is identified on the rolls of 1880 and 1896 as a native Cherokee; he has lived in the Cherokee Nation al l his life, and he will be listed now for enrollment as a Cherokee by blood; as for the application for his child, Noah Reese , he is dea red to supply the Commission with duly authenticated certificate of this child's birth; when that is done, the name of this child will be placed upon a doubtful card for the reason that, whilethewhile the applicant exhibits a certificate of marriage in 1898, it is to one Mary Hall, instead of to Mary M. Kendricks, which he state was the name ofhis wife at the time he married her; her maiden name was Hall, and the applicant says that she had been married to a man named Kendricks, but he offers no evidence that she was ever divorced from Kendricks, and makes only a doubtful assertion that Kendricks was dead. While a brother of applicant's wife states that he never he ard of her being married to Kendricks. The applicant is desired to supply the Commission with

evidence in regard to this marriage, and as to whether the former husband, Kendricks, was dead at the time he married his wife, or if not, whether they were divorced, and to give satisfactory explanation of the discrepancy existing between his testimony and the marriage license; the marriage license and certificate are filed herewith.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 7 day of Sept 1900.

Commissioner.

9241 a

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
SEP 12 1900

Acting Chairman

9341 B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
AUG 31 1900

Acting Chairman

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

AUG 31 1900

Date, ... 1900.

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

Noah Reese Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

Affidavit of birth attached.

D7H1

W241 B—

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
AUG 31 1900

ACTING CHAIRMAN.

D241 C

NO

IN RE

Application for Enrollment of

INFANT CHILD.

Noah Reese

as a citizen of the

Cherokee Nation.

Approved: SEP 5 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 5 1900

ACTING CHAIRMAN.

D. Card 24

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment as a citizen of the Cherokee Nation,

of Noah Reese (Here insert name of child.), born on the 24 day of January, 1900.

Name of Father: Tuxie Reese, a citizen of the Cherokee Nation.

Name of Mother: Mary M Reese, a citizen of the Cherokee Nation.

Post-office, Braggo I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.) Northern District.

I, Mary M Reese, on oath state that I am 27 years of age and a citizen, by marriage, of the Cherokee Nation; that I am the lawful wife of Tuxie Reese, who is a citizen, by blood, of the Cherokee Nation; that a male (male or female) child was born to me on the 24 day of January 1900; that said child has been named Noah Reese, and is now living.

WITNESSES TO MARK: Mary M Reese

(Must be Two Witnesses.)

Subscribed and sworn to before me this 31 *day of* August *1900.*

Edward McCain
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.) Northern District.

I, L P Smithson, a midwife, on oath state that I attended on Mrs. Mary M Reese, wife of Tuxie Reese on the 24 day of January, 1900; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Noah Reese.

WITNESSES TO MARK: J P Smithson

(Must be Two Witnesses.)

Subscribed and sworn to before me this 31 *day of* August *1900.*

Edward McCain
NOTARY PUBLIC.

Cher. D-241

IN RE

Application for Enrollment of

INFANT CHILD

Stanid Dawson Reese

as a citizen of

Cherokee Nation.

Approved February 6 1902

T. B. Needles

Commissioner.

COMMISSION

FILED

FEB 6 1902

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Stand Dawson Reese (Here insert name of child), born on the 15 day of December, 1901, 1....

Name of Father: Tuxie O. Reese, a citizen of the Cherokee Nation.

Name of Mother: Mary Reese, a citizen of the U. S. Nation.

Post-office, Braggs, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Mary Reese, on oath state that I am 26 years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful wife of Tuxie O. Reese, who is a citizen, by blood, of the Cherokee Nation, that a male (male or female) child was born to me on the 15th day of December, 1901 1; that said child has been named Stand Dawson Reese, and is now living.

WITNESSES TO MARK (Must be Two Witnesses)

Mary Reese

Subscribed and sworn to before me this 1st *day of* February 1902

Edward McLemore

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, L. P. Smithson, midwife, on oath state that I attended on Mrs. Mary Reese, wife of Tuxie O. Reese, on the 15th day of December, 1901, 1; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Stand Dawson Reese

WITNESSES TO MARK: (Must be Two Witnesses)

L P Smithson

Subscribed and sworn to before me this 1st *day of* February 1902

Edward McLemore

NOTARY PUBLIC.

"R"
2241

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February21, 1902.

In the matter of the application of Tuxie O. Reese, for the enrollment of hhs two children Norah Reese and Stand Dawson Reese, as citizens of the Cherokee Nation:

Appearances:
Applicants represented by Tuxie O. Reese;
W. W. Hastings, for the Cherokee Nation.

TUXIE O. REESE, being sworn and examined, testified as follows:

Q What is your name ? A Tuxie O. Reese.
Q Where do you live ? A Braggs, Indian Territory.
Q What Nation? A Cherokee Nation, Illinois district.
Q You are an applicant for the enrollment of your two children ?
A Yes sir.
Q Who is their mother ? A Mary.
Q Was she ever married before she married you ?
A Why it is this way: she had a man before that and without a license.
Q You mean she was living with a man before she married you ?
A Yes sir. A little while; got two children by him.
Q What was his name ? A Kendricks they say.
Q How long have you been married to this woman ?
A Since 1898.
Q When did Kendricks die ? A She says he died before the last child she had by him was born.
Q Then he was dead when you married her was he ? A Yes sir.
Q What was your wife's name before she married to Kendricks ?
A Hall.
Q That was her maiden name ? A Yes sir.
Q She was only married to Kendricks and to you ?
A Just these two times.

Examined by Mr. Hastings:

Q Where did your wife live when she lived with Kendricks ?
A Across the river.
Q How far from where you now live ? A About a quarter.
Q You saw them every day ? A I wasn't acquainted with them.
Q You were not ? How far were you living from them at that time ?
A About three miles. But I didn't know they was there then at that time.
Q Well now, do you know to your own personal knowledge that that man was dead before you married this woman ?
A Only what she said, and her mother.
Q Did she live with Kendricks till he died ?
A No sir, she said he went to Arkansas and died there.
Q You didn't know that when you were before the Commission before ?
A No sir.
Q Only learned it since ? A Yes sir.
Q You don't know he is dead, except that since you were before the Commission before you have inquired of her about it ?
A She told me that this fellow's daddy wrote a letter to my wife's daddy that he was dead.
Q You didn't know that when you were before the Commission before ?
A No sir.
Q You found that out afterwards ? A Yes sir.
Q Your wife told you that ? A Yes sir.

Q She heard that this man died before she married you ?
A That's what she said.
Q That's all you know ? A Yes sir.
Q She had a brother that testified for you before, didn't she ?
A Over at Fort Gibson, yes sir.
Q What was his name ? A His name was John Calvin Hall.
Q He didn't know anything about this man being dead then did he ?
A No sir.
Q Who did this woman live with after she and Kendricks separated, up until you married her ? A Old lady Myers.
Q Is she any kin to her ? A No sir.
Q How far from this fellow John Calvin Hall ?
A About three miles. That old lady is dead now.
Q Is this fellow John Calvin Hall here to day ? A No sir. He aint here.
Q It seemed that her brother didn't know that Kendricks was dead when you and him were up here before, at least you never said anything about it ? He didn't know anything about it did he ?
A No sir, it must have been very little. He can't remember anything--it seemed that way.

The Commission: Is there anything else you want to say ?

No sir.

Do you submit this case to the Commission for final consideration ?

Yes sir.

The representative of the Cherokee Nation also submits the case on the part of the Cherokee Nation; and the same is closed.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this February 24, 1903.

Commissioner.

C D 241

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Noah Reese, as a citizen of the Cherokee Nation.

On the 31st day of August, 1900, Tuxie O. Reese appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of his son, hereinbefore named, as a citizen of the Cherokee Nation. The application included other parties but as they are differently classified, they are not embraced in this decision nor considered at this time.

At the conclusion of the testimony offered at that time, the name of Noah Reese was placed upon a "Doubtful" card.

From all the evidence of record in this case it appears that Tuxie O. Reese, the father of Noah Reese, is a Cherokee citizen and is identified on the authenticated tribal roll of 1880, as "Lewis Reese", Canadian District, page 43, #1165. He is also identified on the Cherokee census roll of 1896 as "Tuie Reese," Canadian District, #1728.

It further appears that he was married on the 15h day of December, 1898, in accordance with the laws of the United States, to one Mrs. Mary Hall.

It also appears by an affidavit of birth on file in the office of this Commission, that Noah Reese is the lawful issue of T. O. Reese and Mrs. Mary Reese, nee Hall.

The record further shows, that subsequent to the date of this application, there was born to the aforesaid T. O. Reese and his wife, on the 18th day of December, 1901, a male child, namely; Stand Dawson Reese, and application for his enrollment is made herewith. The affidavit relative to the birth of Stand Dawson Reese is also on file in the office of this Commission.

It appears that prior to the marriage of T. O. Reese with the mother of these children, who is his wife as hereinbefore shown, she lived with a man by the name of Kendrick. No testimony is introduced to show that they were ever lawfully married, neither is it shown conclusively that the said Kendrick is dead. Her relations, whatever they might have been with Kendrick, do not enter into the question of the status of the two applicants in this case. Her marriage with T. O. Reese, as evidenced by a certificate hereto attached, must be presumed to be lawful and free from disabilities.

Noah Reese at the time of the first application was seven months of age, and Stand Dawson Reese, at the time the application was made for him was six weeks old.

The Commission is authorized to make rolls of citizenship of the Cherokee Nation by the provision of the Act of Congress approved June 28, 1898 (30 Stats. 495. Sec. 21.)

D E C I S I O N.

--oOo--

From all the facts and the law in this case the Commission is of the opinion that Noah Reese and Stand Dawson Reese, are entitled to be enrolled as citizens by blood of the Cherokee Nation, and it is so ordered.

Commissioners.

Dated at Muskogee, Indian Territory,
MAY 27 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREACKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 4, 1902

Tuxie O. Reese,

Braggs, Indian Territory.

Sir:-

You are hereby notified that the application of Noah Reese

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 21st day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-341

Register.

Acting Chairman.

D244

FEB 4 1902

ACTING CHAIRMAN.

COPY.

Muskogee, Indian Territory, May 27, 1902.

W. W. Hastings, Esq.,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes rendered May 27th, in the matter of the application of Tuxie O. Reese for the enrollment of his two children, Noah Reese and Stand Dawson Reese, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of said persons as citizens of the Cherokee Nation. If you fail to file the protest within the time allowed these applicants will be regularly listed for enrollment.

Very respectfully,

(SIGNED) Tams Bixby.
Acting Chairman.

Encl. D-241.

Enclosure D 861

COPY

Muskogee, Indian Territory, June 11, 1902.

Tunie D. Reese,

Bragg, Indian Territory.

Madam:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of your application for the enrollment of your children Noah Reese and Stone Benson Reese as citizens of the Cherokee Nation.

Very respectfully,

T. B. Needles

In Charge.

Register

Enclosure D 861

Chem 9.T56

Mattie J. Mitchell

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I. T. September 18th, 1900.

IN THE MATTER OF THE APPLICATION OF CHARLES A MITCHELL, FOR THE ENROLLMENT OF ~~HIMSELF~~ HIS WIFE AND CHILDREN AS CHEROKEE CITIZENS.

The said Charles A. Mitchell, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name, please.
A Charles A. Mithhell.
Q How old are you? A Twenty-five.
Q What is your postoffice? A Afton.
Q What district do you live in? A Delaware.
Q Who do you want to hve put on the roll? A Just my wife and children.
Q How many children? A Two.
Q Is your wife a Cherokee by blood? A Yes, sir.
Q What is your wife's name at this time? A Mattie J. Mitchell
Q How old is she? A Twenty years old.
Q When did you marry her? A In 1896.
Q Whatwas her name when you married her? A Lamar.
Q Was that her maiden name? A Yes, sir. Mattie Lamar.
Q Did you have a Certificate of your marriage? A Yes, sir.

THE COMMISSIONER: The applicant presents a Cherokee license shewing that he was licensed by the Clerk of Delaware District on November 23rd, 1896, to Marry Miss Mattie J. Lamar, and the certificate shows that he was married by the Rev. H. B. Scrugge to her on November 26th, 1896. These papers are filed herewith.

Q What district was your wife in in 1880 A Delaware.
Q She is on the roll of 1880 is she? A I think so; I could not say for certain.
Q In 1896 what district was she in? A Delaware.
Q Were you married before thatroll was made? A No, sir; I don't remember when it was made.
Q What is the name of her father? A William Lamar.
Q Cherokee or white man? A Cherokee.
Q Dead or alive? A Dead.
Q How long has he been dead? A About twenty years ago. He died before she was born, or the year she was born.
Q The name of her mother? A Her mother's name was Margaret Lamar.
Q Cherokee or white woman? A Cherokee.
Q Dead or alive? A Dead.
Q How long has she been dead? A I couldn't say as to that.
Q She has been dead twenty years has she? A No, sir; I think not.
Q Give me the names of the children, please.
A Ott W.
Q How old is that child? A Three years old.
Q The next? A Lee A. One year old. I expect her mother will be on the roll of 1880 as Margaret Jones.

1880 Roll, page 373, No. 664, Margaret Jones, Flint District, Native.

1896 Roll, page 494, No 1796, Mattie Jane Lamar, Native.

Q What proportion of Cherokee blood has your wife? A Why, so about one eighth, I reckon.
Q Have you got somebody here who knew her mother? A I don't know that I have. No, sir.

THE COMMISSIONER: The applicant applies for the enrollment of his wife and two children. His wife is identified on the roll of 1896 under her maiden name. The marriage license and certificate filed herewith establish such change of name. She is perhaps too young to have been on the roll of 1880, and is not found on that roll. It is claimed that she is the child of a woman enrolled in 1880 as Margaret Jones who is now dead. The claim is made that the applicant's wife is one eighth Cherokee. It is desired that responsible personal testimony be brought to establish the fact that this Martha Jones was the mother of the applicant's wife, and until further testimony is provided, this application will be placed upon a doubtful card. When the Commission is supplied with the proper certificates of the birth of the two children, they also, will be listed with their mother upon a doubtful card.

The applicant is excused.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in the above mentioned application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Wm. L. Mellen

Subscribed and sworn to before me this 20th day of September A. D. 1900.

Commissioner.

RECEIVED
FEB 28 1900
U.S. PATENT OFFICE
COMMISSIONER OF THE UNITED STATES PATENT OFFICE.

B-

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 18 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date Sept 18 1900.

Name [illegible]

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Wife's name Mattie J Mitchell - Paton, I.T.

District DELAWARE. Year 1896 Page 494 No. 1795

Citizen by blood yes Yes Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law Choctaw Date of marriage December 23, 1896

License filed SEP 18 1900 Certificate filed SEP 18 1900

Names of Children:

1 Ott. N. Mitchell Dist. ——— Year ——— Page ——— No. ——— Age 3

2 Lee A. " Dist. ——— Year ——— Page ——— No. ——— Age 1

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

1 on 1896 Roll as Mattie Jane Lamar

2 and 3 affidavits to be supplied

Marriage license and certificate attached.

A 337

MARRIAGE LICENSE.

CHEROKEE NATION Delaware DISTRICT.

TO ANY PERSON LEGALLY AUTHORIZED GREETING:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between M [illegible] a citizen of the United States, and M [illegible] a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and Seal of Office, this the 23 day of [illegible] 1896

[illegible]

Clerk [illegible] District.

Enterprise Print, Southwest City.

SEP 18 1915

To whom it may concern
Dated on the 15th day of
Nov. 1870 Certifies the Celebration
of Marriage between Wm
Elias Whitehill a Citizen
of the United States and
Miss Mattie J. Sawyer a
Citizen of the Cherokee
Nation

W. B. Scruggs Pastor
of the M. E. Church South
Tahlonteeskee C. N. Officiating.

No. 3437

IN RE

Application for Enrollment of

INFANT CHILD

Otto Nicholas

as a citizen of the

Approved SEP 18 1900

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 18 1900

Pensacola

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Ott. W. Mitchell, born on the 21 day of Oct, 1897
(Here insert name of child.)

Name of Father: C. A. Mitchell, a citizen of the Cherokee Nation.

Name of Mother: Mattie J. Mitchell, a citizen of the Cherokee Nation.

Postoffice, Afton I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, } INDIAN TERRITORY.
Northern District. }

I, Mattie J. Mitchell, on oath state that I am 20 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of C. A. Mitchell, who is a citizen, by Marriage, of the Cherokee Nation; that a Male (male or female) child was born to me on the 21 day of October 1897, that said child has been named Ott. W. Mitchell, and is now living.

Mattie J Mitchell

WITNESSES TO MARK:

(Must be Two Witnesses) { Chas Mitchell
Mrs J French

Subscribed and sworn to before me this 11 day of Sept 1900

My Com. Expires Jan. 14th 1901

J. S. Truitt
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY.
Northern District. }

I, Mrs N. A. French, a Midwife, on oath state that I attended on Mrs. Mattie J. Mitchell wife of C. A. Mitchell on the 21 day of October, 1897, that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Ott. W. Mitchell

N A French

WITNESSES TO MARK:

(Must be Two Witnesses) { Chas F. French
Mrs J French

Subscribed and sworn to before me this 11 day of Sept 1900

My Com. Expires Jan. 14th 1901

J. S. Truitt
NOTARY PUBLIC.

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of the

Nation.

Commissioner.

SEP 18 1900

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 18 1900

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Lee A. Mitchell, born on the 19 day of October, 1899

(Here insert name of child.)

Name of Father: C. A. Mitchell, a citizen of the Cherokee Nation.

Name of Mother: Mattie J. Mitchell a citizen of the Cherokee Nation.

Postoffice, Afton I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, } INDIAN TERRITORY.
Northern District. }

I, Mattie J. Mitchell, on oath state that I am 20 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of C. A. Mitchell, who is a citizen, by marriage, of the Cherokee Nation; that a male (male or female) child was born to me on the 19 day of October 1899 that said child has been named Lee A. Mitchell, and is now living.

Mattie J. Mitchell

WITNESSES TO MARK:

(Must be Two Witnesses.) { Amos F. Ingram
Chas Mitchell

Subscribed and sworn to before me this 4 *day of* Sept 190 0

My Com. Exoires Jan. 14th 1901

J. L. Truitt
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY.
District. }

I, Mrs M. A. French, a Midwife, on oath state that I attended on Mrs Mattie J. Mitchell wife of C. A. Mitchell on the 19 day of October, 1899 that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Lee A. Mitchell.

M. A. French

WITNESSES TO MARK:

(Must be Two Witnesses.) { Amos F. French
Chas Mitchell

Subscribed and sworn to before me this 4 *day of* Sept 190 0

My Com. Exoires Jan. 14th 1901

J. L. Truitt
NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, I.T. September 18th, 1900.

IN THE MATTER OF THE APPLICATION OF CHARLES A. MITCHELL FOR THE ENROLLMENT OF HIS WIFE, MATTIE J. MITCHELL, AND CHILDREN, AS CHEROKEE CITIZENS. SUPPLEMENTAL PROCEEDINGS.

Charles H. Preston, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q What is your name, please? A Charles H. Preston.
Q How old are you? A Fifty-five.
Q What is your post office? A Fairland.
Q How long have you lived in the Cherokee Nation? A Thirty years.
Q Do you know Mattie J. Mitchell? A Yes, sir; I knew her from the time she was a small child.
Q What was her maiden name? A Jones. Her moter's name was Jones, and of course her maiden name was Jones.
Q Was she ever called Lamar? A Yes, sir.
Q What was her father's name? A Her father's name was White,--it must have been for it was old man Pellards grand child---
Q (interrupting) Hold on for we are getting that mixed up.
Q What was the name of the father of that woman Mattie J. Mitchell? A Lamar,--William Lamar.
Q Very well, now William Lamar is dead?
A Yes, sir.
Q About how long has he been dead?
A He must have been dead about sixteen years. The girl was just a child when he was killed.
Q Well, he has been deadlonger than that I think, according to the roll. Now, this woman Mattie J Mitchell's mother, was Lamar's wife, wasn't she, at one time? A Yes, sir.
Q And then when Lamar died she married again, didn't she?
A Yes, sir.
Q What was the name of the man she married? A Davis.
Q You just now said Jones. I want to know the man she first married after Lamar. Was it Jones?
A No, itwas Jeff Davis.
Q After that she married aman named Jones. A No, sir.
Q You said that two or three times.
A Yes, sir; she married a manby the name of Jones.
Q One time or another? A Yes, sir.
Q Whether she was on the roll as a Jones or a Davis you are satisfied she was at one time a Lamar? A Yes, sir.
Q And that she is the mother of this woman? A Yes, sir.
Q You have got no doubt about that have you?
A No, sir.

Witness excused.

THE COMMISSIONER: This supplies the needed information, and when this doubtful card is taken up the application will be approved.

The undersigned being duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in the above mentioned applica-

his stenographic notes taken at the time and in the supplemental hearing above referred to.

Subscribed and sworn to before me this 20th day of September A.D. 1900.

Commissioner.

Supp. D.337

DEPARTMENT OF THE INTERIOR
COMMISSION OF FINE ARTS

Acting Chairman

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mattie J. Mitchell, et.al. for enrollment as Cherokee citizens.

SUPPLEMENTAL STATEMENT.

--oOo--

There was filed with this Commission on the 18th day of September, 1900, affidavit of birth duly executed on the fourth day of September, 1900, from which it appears that Ott W. Mitchell was born to Mattie J. Mitchell on the 21st day of October, 1897, and that Lee A. Mitchell was born to said Mattie J. Mitchell on the 19th day of October, 1899, and that both children were living at the date of the execution of said affidavits.

The same have been approved and filed with this Commission.

It is directed that copies of this statement be filed with the testimony in the above case.

Commissioner.

Dated at Muskogee, Indian Territory,
this first day of March, 1902.

9758 ~~10287~~

IN RE

Application for Enrollment of

INFANT CHILD

Claud D. Mitchell

as a Citizen of

CHEROKEE NATION.

Approved Oct 31 1902

T. B. Needles

Commissioner.

For Sale by Leader Printing Co., Vinita.

June 24, 1902. Affidavit
Ltr. forwarding decision
in case of Parents



BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Claud O. Mitchell, born on the 27th day of January, 1902
(here insert name of child)
Name of Father: Charley G. Mitchell, a citizen of the Cherokee Nation.
Name of Mother: Mattie J. Mitchell, a citizen of the Cherokee Nation.
Post-office, Afton I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

I, Mattie J. Mitchell, on oath state that I am 22 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Charley G. Mitchell, who is a citizen, by Marriage, of the Cherokee Nation, that a Male child was born to me on the 27th day of January 1902; that said child has been named Claud O. Mitchell, and is now living.

Mattie J. Mitchell

WITNESSES TO MARK:
(Must be two Witnesses.) Lora E. Brooks

Subscribed and sworn to before me this 21 day of June 1902

My Com. Expires Jan 21 1905

J. S. Travis
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

I, Mrs V. A. French, Midwife, on oath state that I attended on Mrs Mattie J. Mitchell, wife of Charley G. Mitchell on the 27th day of January, 1902 that there was born to her on said date a Male child; that said child is now living and is said to have been named Claud O. Mitchell

V. A. French

WITNESSES TO MARK:
(Must be two Witnesses.) Lora E. Brooks

Subscribed and sworn to before me this 21 day of June 1902

My Com. Expires Jan 21 1905

J. S. Travis
NOTARY PUBLIC.

Cherokee B 337.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mattie J. Mitchell and her minor children Ott W. and Lee A. Mitchell as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on September 18, 1900, Charles A. Mitchell appeared before the Commission at Vinita, Indian Territory, and then and there made application for the enrollment of his wife Mattie J. Mitchell and his minor children Ott W. and Lee A. Mitchell as citizens by blood of the Cherokee Nation. On September 18, 1900, further proceedings were had in the matter of this application.

The evidence in this case shows that Mattie J. Mitchell is the daughter of one Margaret Lamar, who is identified on the authenticated tribal roll of 1880 as Margaret Jones, she having been at one time married to a man by the name of Jones. Mattie J. Mitchell is an orphan; has resided in the Cherokee Nation all her life and is identified on the Cherokee Census roll of 1896 as Mattie J. Lamar. She was married November 25, 1896 to Charles A. Mitchell, a non-citizen, and the children Ott W. and Lee A. Mitchell are the result of such marriage.

The authority of the Commission herein is defined in Paragraph 1, Section 21, of the Act of Congress, June 28, 1898, (30 Stats., 495).

It is therefore the opinion of the Commission that Mattie J. Mitchell, Ott W. Mitchell and Lee A. Mitchell are lawfully entitled to be enrolled as members by blood of the Cherokee Tribe of

Indians in Indian Territory, and that the application for their enrollment as such should be granted, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

COPY.

Cherokee D 352.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Charles A. Mitchell for the enrollment of his wife, Mattie J. Mitchell, and his two minor children, Ott W. and Lee A. Mitchell, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 80.

COPY.

Cherokee 3 - 257.

Muskogee, Indian Territory, October 26, 1906.

Charles A. Mitchell,
Afton, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1906, granting your application for the enrollment of your wife, Mattie F. Mitchell, and your two minor children, Ott W. and Lee A. Mitchell, as citizens by blood of the Cherokee Nation.

Respectfully,

T. B. Brocksmith
Commissioner.

Enclosure C. No. 21.
Register.

Cher 9759

Lucy M. Thompson

Cher 9759

Department of the Interior,
Commission to the Five Civilized Tribes,
December, 15th, 1900, Tahlequah, I. T.

In the matter of the application of Glen Thompson for the enrollment of himself, wife and one child. He being sworn before Commissioner Kingsbridge, testified as follows-

Q What is your name? A. Glen Thompson.
Q What is your age? A. 20.
Q What is your post office? A. Kansas, I. T.
Q What district do you live in? A. Delaware
Q Who is it that you want to have enrolled? A. Myself, wife and one child
Q Are you a Cherokee by blood? A. Yes sir.
Q Give me the name of your father? A. R. H. F. Thompson.
Q Is he living? A. Yes sir.
Q Give me the name of your mother? A. Narcissa.
Q Is she living? A. Yes sir.
Q Give me the names of your children? A. I have one child named Lucy May
Q How old is that child? A. 9 months old.
Q What is the mother of this child named? A. Leah Thompson.
Q Is she dead or alive? A. Alive.
Q Is she a Cherokee or a white woman? A. White woman.
Q Are you married to her? A. Yes sir.
Q Have you a marriage license and certificate? A. No sir.
Q When were you married to her? A. In 1898.
Q Who married you? A. Adam Lacy.
Q A preacher? A. Yes sir.
Q Didn't you get a certificate from him? A. Yes sir.
Q Have you a certificate of this childs birth? A. No sir.

1896 roll, page 597 No 1551, R. H. F. Thompson, Flint dist.
1896 roll, page 597, No 1552. Narcissa Thompson, "
1896 797 2138 Glen Thompson Coingsnake dist.

Q Were you ever married except to this wife? A. No sir.
Q Was she ever married except to you? A. No sir.
Q What was your wifes name before she married you? A. Simson.
Q How old is your wife? A. 21.
Q Has she lived with you ever since your marriage to her? A. Yes sir.

The applicant applies for the enrollment of himself, wife and one child. He is identified on the 1896 roll as a native Cherokee, he is too young to be on the roll of 1880, but his mother and father are identified on that roll. The applicant has lived in the Cherokee Nation all his life and he will be listed for enrollment as a Cherokee by blood. He state that he and his wife were married in 1898; he is not able to produce a certificate of marriage at this time but states that he can send one to the commission. Her marriage to him is too late to entitle her to enrollment at this time, under the provisions of the Supreme law of December, 1900. She has lived with him [illegible] such marriage and neither of them were ever previously married, but by reason of the law just referred to, the application for her enrollment will be rejected. The applicant states that his child was born [illegible] he supplies the Commission with a certified copy of the birth, they will also [illegible] blood, but until the required certificate of marriage of the parents father of this child is supplied, the child will be placed on a doubtful card.

Thereupon Adam, being sworn states that he is acquainted to the applicant to the Five Civilized Tribes he married in full all the pres

proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Subscribed and sworn to before me this 18th day of December, 1930.

Commissioner.

CHEROKEE BY BLOOD AND ADOPTION

2952

11 8 11

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

DEC 18 1900

Date ..... 1900.

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

Lucy M. Thompson	Dist.	Year	Page	No.	Age 9 mo
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Rejected

Child of Clem and Lea Thompson

Affidavit of birth to be supplied

Evidence of marriage of parents to be supplied

2958 "C"

20

IN RE

Application for Enrollment of

INFANT CHILD

Mary M. Drumgoole

as a citizen of

CHEROKEE Nation.

Approved, JAN 11 1901 190

Commissioner.

DEPARTMENT OF THE INT'R CH.
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 11 1901

ACTING CHAIRMAN

Cand No 2958

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Lucy M. Thompson (Here insert name of child), born on the 3rd day of March, 1900

Name of Father: Edgar W. Thompson, a citizen of the Cherokee Nation.

Name of Mother: Leah F. Thompson, now a citizen of the Cherokee Nation.

Post-office, Colcord, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Delaware District. }

I, Leah F. Thompson, on oath state that I am 21 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Edgar F. Thompson, who is a citizen, by Blood, of the Cherokee Nation, that a Female (male or female.) child was born to me on the 3rd day of March 1900 that said child has been named Lucy M. F. Thompson, and is now living.

Leah F. Thompson

WITNESSES TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 22 *day of* December 1900.

my com exp Oct-14-1903 J. H. Dickson NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Delaware District. }

I, Hamitte Burgess, a Midwife, on oath state that I attended on Mrs. Leah F. Thompson wife of Edgar F. Thompson, on the 3rd day of March, 1900; that there was born to her on said date a Female (male or female.) child; that said child is now living and is said to have been named Lucy M. F. Thompson.

Hamitte Burgess

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 22 *day of* December 1900.

my com exp Oct-14-1903 J. H. Dickson NOTARY PUBLIC.

D9s8

117

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

No. 277

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. Glen Thompson, of Westville, in the Indian Territory, aged 19 years, and Miss Leah Sisson, of Westville, in the Indian Territory, aged 20 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Tahlequah, Indian Territory this 10th day of June A. D. 1898.

Jas. A. Winston,
Clerk of the U. S. Court.

By H. W. C. Shelton Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, A. L. Lecie, a Minister of the Gospel, Do Hereby Certify, that on the 11th day of June, A. D. 1898, I did duly according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 11th day of June A. D. 1898.

My credentials are recorded in the office of the Clerk of the United States Court, [illegible] Northern District, Book [illegible], Page [illegible].

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, Charles A. Davidson, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 30 day of Dec 189 9, at ____ M., and duly recorded in Book ____, Marriage Record, Page ____.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 31 day of Dec, A. D., 189 9.

SEAL

Chas. A. Davidson Clerk.

By F. M. Ford Deputy.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., March 1, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Leah Thompson as a citizen of the Cherokee Nation.

C. R. Breckinridge

Commissioner.

C D 988

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lucy M. Thompson, as a citizen of the Cherokee Nation.

SUPPLEMENTAL STATEMENT.

On the 11th day of January, 1901, there was filed with the Commission to the Five Civilized Tribes, an "Affidavit of Mother", showing that on the 3rd day of March, 1900, Lucy M. Thompson was born to Leah Thompson, the lawful wife of Clem Thompson. The affidavit is also accompanied by an "Affidavit of Mid-wife" who was in attendance at aforesaid birth.

It is directed that copies of this statement be filed with the testimony in this case.

Commissioner.

Dated at Muskogee, Indian Territory,
this 17 day of March 1902.

Cherokee D 958

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Clem Thompson for the enrollment of his minor child, Lucy M. Thompson as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

-o-o-o-

The record in this case shows that on December 13, 1900, Clem Thompson appeared before the Commission at Tahlequah, Indian Territory, and then and there made personal application for the enrollment of his minor child Lucy M. Thompson as a citizen by blood of the Cherokee Nation. Clem Thompson is listed for enrollment as a citizen by blood of the Cherokee Nation on Cherokee Field Card #6601. His wife Leah Thompson is listed on Cherokee Rejected Card #493. Therefore their cases are not passed upon at this time.

On the 11th day of January 1901, there was filed with this Commission copy of a marriage license and certificate, a copy of which is attached hereto. There was also filed with this Commission on the same date "affidavit of mother," wherein it is shown that on the 3rd day of March 1900, Lucy M. Thompson was born to Leah Thompson, the lawful wife of Clem Thompson.

At the time of this application Clem Thompson was twenty years of age. The record shows that Clem Thompson's father and mother are identified on the Cherokee authenticated tribal roll of 1880.

The authority of the Commission herein is defined in Paragraph 1, Sec. 21, of the Act of Congress, June 28, 1898. (30 Stats., 496).

It is the opinion of this Commission that Lucy M. Thompson is lawfully entitled to be enrolled as a member by blood of the Cherokee Tribe of Indians in Indian Territory, and that the application for her enrollment as such should be granted, and it is therefore so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

C. R. Breckinridge

Commissioner.

Muskogee, Indian Territory,
this 9th day of May 1902.

COPY.

Muskogee, Indian Territory, May 27, 1902.

W. W. Hastings, Esq.,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes rendered May 27th, in the matter of the application of Clem Thompson for the enrollment of his minor child, Lu[illegible]. Thompson, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of said person as a citizen of the Cherokee Nation. If you fail to file the protest within the time allowed this applicant will be regularly listed for enrollment.

Very respectfully,

(SIGNED). Tams Bixby.

Acting Chairman.

Encl. D-633.

COPY.

Muskogee, Indian Territory, May 27, 1908.

W. W. Hastings, Esq.,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes rendered May 27th, in the matter of the application of Clem Thompson for the enrollment of his minor child, Lucy M. Thompson, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of said person as a citizen of the Cherokee Nation. If you fail to file the protest within the time allowed this applicant will be regularly listed for enrollment.

Very respectfully,

(SIGNED). Tams Bixby.

Acting Chairman.

Encl. 3-28.

Cherokee D 928.

COPY.

Muskogee, Indian Territory, June 11, 1902.

Glen Thompson,

Mamaco, Indian Territory.

Sir:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Lucy M. Thompson as a citizen by blood of the Cherokee Nation.

Very respectfully,

[redacted]

T. B. Needles.

Commissioner in Charge.

Enclosure D 928

Register

Cher 1760
Martin Raper

Caen 1760

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 15, 1900.

In the matter of the application of John W. Brown for the enrollment of Martin Raper and Martha Raper as Cherokee citizens; he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A John W. Brown.
Q What is your postoffice? A Chance.
Q In what district do you live? A Goingsnake district
Q What is your age? A 50 years.
Q I understand you to say that you want to apply now for an uncle and aunt who are very old and unable to come here? A Yes sir.
Q Give me the name of your uncle? A Martin Raper.
Q He is your uncle on your mother's side? A Yes sir.
Q Give me the name of your aunt? A Martha Raper.
Q How old is your uncle? A 85 years.
Q How old is your aunt? A 78 years old.
Q Are they both Cherokees by blood? A Yes sir.
Q Is their postoffice at Chance, I. T.,? A Yes sir.
Q Do they live in Goingsnake district? A Yes sir.
Q Near by where you live? A Yes sir.
Q How long has your uncle, Martin, lived in the Cherokee Nation? A Since '28.
Q How long has your aunt Martha lived in the Cherokee Nation? A The same date '28.
Q Where did they come from, North Carolina? A Yes sir.
Q Were they among the admitted North Carolina Cherokees? A Yes sir.
Q You haven't got a certificate, have you? A No sir.
Q How far is your home from here? A Thirty miles.
Q Are these two old people very infirm and unable to come? A Yes sir.
Q It is a pretty rocky, mountainous road from here to your house? A Yes sir, very.
Q Is there some one here who knows, in addition to yourself, that these two old people are living out there? A Yes sir.

Witness, Gus R. Hart, being sworn, testified as follows:
Q Give me your full name. A Gus R. Hart.
Q How old are you? A 39.
Q What is your postoffice? A Chance.
Q How long have you lived in the Cherokee Nation? A Since '86 I believe.
Q Do you know Martin and Martha Raper? A Yes sir.
Q Are they kin to this gentleman here, Mr. Brown? A Yes sir.
Q Are they very old? A Yes sir.
Q Are they very infirm? A Yes sir.
Q Are they living out here by Chance? A Yes sir.
Q You consider that they are so old and infirm and unable to come over the country? A Yes sir, they couldn't come.

Applicant recalled.
Q Have you no certificate of their admission to citizenship? A No sir, they were admitted by Council in '28 or '9, I don't know which.
Q They have lived here ever since 1828? A Yes sir.
1668 roll: page 788, field 7, Martin Raper, Goingsnake district
1668 roll: page 788, field, Martha Raper, Goingsnake district.

B- J.V.B.

Commissioner Brockinridge-

The applicant applies for the enrollment of his uncle and aunt, Martin and Martha Roper, who are very aged and unable to apply for themselves. Under the conditions stated in the testimony, this application is received and the fact that these people are alive is established by additional testimony to that of the applicant himself. They are both identified on the roll of 1896 as Native Cherokees. They are stated to have come to the Cherokee Nation from North Carolina in 1838, and to have lived here ever since. They are said to have been admitted to citizenship by the Cherokee Council or Commission in 1883 or 1883. They will be listed for enrollment as Cherokees by blood, to avoid the filing of an official copy of the evidence of their admission, they being listed at present upon a doubtful card.

E.S.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony in the above case, and that the foregoing is a full true and correct transcript of his stenographic notes in said case.

E. S. Rothenberger

Subscribed and sworn to before me this 14th day of December, 1900.

Commissioner.

2- J.V.B.

Commissioner Breckinridge.

The applicant applies for the enrollment of his uncle and aunt, Martin and Martha Raper, who are very aged and unable to apply for themselves. Under the conditions states in the testimony, this application is received and the fact that these people are alive is established by additional testimony to that of the applicant himself. They are both identified on the roll of 1896 as native Cherokees. They are stated to have come to the Cherokee Nation from North Carolina in 1882, and to have lived here ever since. They are said to have been admitted to citizenship by the Cherokee Council or Commission in 1882 or 1883. They will be listed for enrollment as Cherokees by blood, to await the filing of an official copy of the evidence of their admission, they being listed at present upon a doubtful card.

R.C.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony in the above case, and that the foregoing is a full true and correct transcript of his stenographic notes in said case.

Subscribed and sworn to before me this 14th day of December, 1900.

Commissioner.

FILED
DEC 19 1900

"B"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

DEC 17 1900

85

Name Martin Raper Tehanee D. T.

District GOING SNAKE. Year 1896 Page 785 No. 1817

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

76

Wife's name Marsha Raper Tehanee D. T.

District GOING SNAKE. Year 1896 Page 785 No. 1818

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	

Evidence of adoption to be supplied.

CHEROKEES BY BLOOD

"B"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

B. W. Albertz

BEST AVAILABLE COPY

9067 "8"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

ACTING CHAIRMAN.

Cherokee D 957

Office of Commission on Citizenship,
Tahlequah, Cherokee Nation Sep. 9th 1882.

Jesse Raper (
Polly Raper (
Martin Raper (
Jackson Raper (Petition filed Sept. 9th 1882.
Thomas Raper

This case was submitted by the solicitor September 11th A. D. 1882.

and now on this the 11th day of September A. D. 1882 this case having been submitted by the solicitor on part of the Cherokee Nation and coming on for final hearing and all the evidence, produced in said case having been carefully examined & considered by the Commission and Jesse Raper being a white man has never complied with the requirements of Chapter 12, art. 15 of the compiled laws of the Cherokee Nation in reference to intermarriage with United States citizens and citizens of the Cherokee Nation, it was adjudged by the Commission on Citizenship that the said Claimants, Polly Raper, Martin Raper, Martha Raper, Jackson Raper and Thomas Raper are Cherokees by blood and that they are entitled to all the rights and privileges of citizenship within the Cherokee Nation and that they should be and that they are hereby admitted to the full and perfect enjoyment of the same in all respects as completely as Native born Cherokees; and that it is further adjudged that the claim of Jesse Raper the husband of the said Polly Raper should be and the same is hereby rejected.

Wm. Eubanks, Clerk, Pro Tem of Commission

Thomas Tehee, President Commission

Alex. Wolf, (
T. F. Thompson, (Commissioners.

Executive Office Cherokee Nation,
Tahlequah, I. T.

I, B. W. Alberty, assisitant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of the Commission on citizenship of the Cherokee Nation, filed in this Office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 13th day of December 1900.

(S E A L)

(signed) B. W. Alberty
Assistant Executive Secretary
Cherokee Nation.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full and correct copy of the copy on file in this office.

Ella Mielenz

C D 957

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Martin Raper, and Martha Raper, as citizens of the Cherokee Nation.

SUPPLEMENTAL STATEMENT.

--ooo--

On the 13th day of December, 1900, there was filed with the Commission to the Five Civilized Tribes, a certified copy of the Office of the Commission on Citizenship, Tahlequah, Cherokee Nation, shewing that on the 11th day of September, 1882, Martin Raper, and Martha Raper were admitted to citizenship in the Cherokee Nation. The same being now on file in the office of this Commission.

It is directed that copies of this statement be filed with the testimony in this case.

Commissioner.

Dated at Muskogee, Indian Territory,
this 1st day of March, 1902.

Cherokee D 957

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John W. Brown for the enrollment of Martin Raper and Martha Raper as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on December 13, 1900, John W. Brown appeared before the Commission at Tahlequah, Indian Territory, and then and there made personal application for the enrollment of his uncle and aunt Martin Raper and Martha Raper, as citizens by blood of the Cherokee Nation.

Martin and Martha Raper were admitted to citizenship in the Cherokee Nation on the 11th day of September 1882. They are identified on the Cherokee Census roll of 1896, and have resided in the Cherokee Nation since their admission to citizenship. Their inability to make application in person is due to their advanced age and infirm condition, together with the fact that their presence would necessitate journeying through a rough and mountainous country.

The authority of the Commission herein is defined in Paragraph 1, Sec. 21, of the Act of Congress, June 28, 1898. (30 Stats. 495.)

It is therefore the opinion of this Commission that Martin Raper and Martha Raper are lawfully entitled to be enrolled as members by blood of the Cherokee Tribe of Indians in Indian Territory and that the application for their enrollment as such should be

granted, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this 20 day of May 1902.

C.R. 9760 ~~D.137~~

IN RE
THE DEATH OF

Martha Raper
a citizen of the

Cherokee Nation.

Approved Oct 15 1902

C. R. Breckinridge.
Commissioner.

1902

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Martha Raper
(Here insert name of deceased)

a citizen of the Cherokee Nation, who formerly resided at or near
Chance (Here insert name of post-office), Ind. Ter., and died on the ___ day of
September, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Northern District. }

I, John W Brown, on oath state that I am 52 years of age and a citizen, by Blood, of the Cherokee Nation; that my post office address is Chance (Here insert name of post office), Ind. Ter.; that I am a nephew (State relationship—as the father, an uncle, a cousin, etc.) of Martha Raper (Here insert name of deceased), who was a citizen, by Blood, of the Cherokee Nation; and that said Martha Raper (Here insert name of deceased) died on the ___ day of September, 1901.

John W. Brown

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 10th day of October 1902.

John M Rosson
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Northern District. }

I, Gus R Hart, on oath state that I am 31 years of age, and a citizen, by Intermarriage, of the Cherokee Nation; that my post office address is Chance (Here insert name of post office), Ind. Ter.; that I was personally acquainted with Martha Raper (Here insert name of deceased), who was a citizen, by Blood, of the Cherokee Nation; and that said Martha Raper (Here insert name of deceased) died on the ___ day of September, 1901.

Gus. R Hart

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 10th day of October 1902.

John M Rosson
Notary Public.

C. 9760
32

IN RE
THE DEATH OF

Martha Raper
a citizen of the

Cherokee *Nation.*

Approved Oct 15, *190* 2

C. R. Breckinridge
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE
CIVILIZED TRIBES

F I L E D

OCT 15 1902

Tams Bixby
Acting Chairman

(C O P Y)

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Martha Raper (Here insert name of deceased.)

a citizen of the Cherokee Nation, who formerly resided at or near Chance (Here insert name of postoffice.), Ind. Ter., and died on the ..... day of September, 901.

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, John W. Brown, on oath state that I am 52 years of age and a citizen, by blood, of the Cherokee Nation; that my postoffice address is Chance (Here insert name of postoffice.), Ind. Ter.; that I am a nephew (State relationship: as the father; an uncle; a cousin, etc.) of Martha Raper (Here insert name of deceased.) who was a citizen, by blood, of the Cherokee Nation and that said Martha Raper (Here insert name of deceased.) died on the ..... day of September, 1901.

WITNESSES TO MARK:

John W. Brown

(Must Be Two Witnesses)

Subscribed and sworn to before me this 10th day of October 1902

(S E A L)

John O. Rosson
Notary Public.

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, Gus R. Hart, on oath state that I am 31 years of age, and a citizen by intermarriage of the Cherokee Nation; that my postoffice address is Chance (Here insert name of postoffice.), Ind. Ter.; that I was personally acquainted with Martha Raper (Here insert name of deceased.) who was a citizen, by blood, of the Cherokee Nation; and that said Martha Raper (Here insert name of deceased.) died on the ..... day of September, 1901.

WITNESSES TO MARK:

Gus R. Hart

(Must Be Two Witnesses)

Subscribed and sworn to before me this 10th day of October 1902

(S E A L)

John O. Rosson
Notary Public.

C78

Cherokee 9760

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Martha Raper as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

THE RECORDS OF THIS OFFICE SHOW: That at Tahlequah, Indian Territory, on December 13, 1900, John W. Brown appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of, among others, Martha Raper, as a citizen by blood of the Cherokee Nation. The others included in said application have been heretofore disposed of, and their rights to enrollment will not be considered in this decision.

The records further show that on May 20, 1902, the Commission to the Five Civilized Tribes rendered its decision granting, among others, the right of said applicant to enrollment as a citizen by blood of the Cherokee Nation, and that, hereafter, on October 15, 1902, there was filed with the Commission to the Five Civilized Tribes an affidavit showing the death of said Martha Raper on the ___ day of September, 1901.

Section Twenty-five of the Act of Congress approved July 1, 1902 (32 stat., 716), provides:

> "The roll of citizens of the Cherokee Nation shall be made as of September first, nineteen hundred and two, and the names of all persons then living and entitled to enrollment on that date shall be placed on said roll by the Commission to the Five Civilized Tribes."

IT IS, THEREFORE, ORDERED AND ADJUDGED: That the decision of the Commission to the Five Civilized Tribes dated May 20, 1902, in so far as it affects the applicant, Martha Raper, be rescinded, set aside , and held for naught, and it is further ordered that, under the provisions of the Act of Congress above noted, the application for the enrollment of Martha Raper as a citizen by blood of the Cherokee Nation, be, and the same is, hereby dismissed.

Commissioner

Dated at Muskogee, Indian Territory,

this JAN 12 1906

D. 957.

COPY.

Muskogee, Indian Territory, May 21, 1902.

W. W. Hastings, Esq.,

Attorney for the Cherokee Nation,

Sir:

Enclosed herewith please find copy of a decision of the Commission rendered May 20th, in the matter of the application of John W. Brown for the enrollment of Martin Raper and Martha Raper as citizens of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of the above persons as citizens of the Cherokee Nation. If you fail to file the protest within the time allowed these applicants will be regularly listed for enrollment.

Very respectfully,

T. B. Needles.

Commissioner in Charge.

Encl. D-957.

COPY.

Cherokee D 957

Muskogee, Indian Territory, June 18, 1902.

John W. Brown,

Chance, Indian Territory.

Sir:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of your application for the enrollment of your uncle and aunt, Martin Raper and Martha Raper as citizens by blood of the Cherokee Nation.

Very respectfully,

Tams Bixby
Acting Chairman.

Enclosure D 957
Register

Cherokee 9760.

COPY

Muskogee, Indian Territory, January 12, 1906.

Martin Raper,

Chance, Indian Territory.

Dear Sir:

There is inclosed herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 12, 1906, dismissing the application for the enrollment of your sister, Martha Raper, as a citizen by blood of the Cherokee Nation, she having died prior to September 1, 1902.

Respectfully,

Tams Bixby.
Commissioner.

Incl. S-22

Cher 9761
Dick Downing

Cher 9761

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 14, 1900.

In the matter of the appliction of Aleck Downing for the enrollment of himself and brother, Dick Downing, as Cherokee citizens; he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Aleck Downing.
Q How old are you? A 19.
Q What is your postoffice? A Baron.
Q What district do you live in? A Goingsnake.
Q Who is it you want to enroll; just yourself? A Yes sir.
Q Are you a Cherokee by blood? A Yes sir, full blood.
Q Have you lived in the Cherokee Nation all your life? A Yes sir.
Q Give me the name of your father. A Ned Downing.
Q Is he alive? A Yes sir.
Q Give me the name of your mother. A Jennie Swimmer.
Q Is she alive? A Yes sir.
1880 roll; page 426, #556, Jane Downing, Goingsneka district
1896 roll; page 743, #802, Alex Downing, Goingsnake district.
Applicant- I want to enroll my brother who is in jail.
Q What is the name of your brother. A Dick Downing.
Q How old is your brother? A 22.
Q Has he lived in the Cherokee Nation all his life? A Yes sir.
Q He's a full blood is he? A Yes sir.
Q Full brother of yours? A Yes sir.
Q Is he in jail at Fort Smith? A Yes sir.
Q When was he put in jail? A Last June, I believe.
Q Is he awaiting trial down there? A Yes sir.
Q What is he put there for? A I don't know. I never heard it.
Q Where was your brother arrested? A At Westville.
Q Never had any trial? A He has had his trial . He got six months.
Q He is serving his sentence in Fort Smith? A Yes sir.
Q Where was he tried? A At Muskogee.
Q When was he sentenced, last summer? A Yes sir.
1880 roll; page 426, #558, Dick Downing, Goingsnake district.
1896 roll; page 743, #701, Richard Downing, Goingsnake district.

Commissioner Breckinridge-
The applicant applies for the enrollment of himself, and brother. His brother is 22 years of age, but the applicant states that he is in prison at Fort Smith undergoing a sentence imposed upon him last summer at Muskogee, and under these conditions he is permitted to make application for his brother. The applicant is identified on the roll of 1896 as a native Cherokee. He has lived in the Cherokee Nation all his life. He is a full blood. He is too young to be upon the roll of 1880, but his mother is identified on that roll; and he will now be listed for enrollment as a Cherokee by blood. His brother, Dick Downing, is identified on the rolls of 1880 and 1896 as a native Cherokee. He has lived in the Cherokee Nation all his life, and he will now be listed for enrollment as a Cherokee by blood on a doubtful card to enable the Commission to examine the Court records if it desires to do so.
Q Where is Dick Downing's postoffice address? A Baron.

R. G. Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

R G Rothenberger

Subscribed and sworn to before me this 17th day of December, 1900

D M Wisner
Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Dec. DEC 14 1900 1900.

Name Dick Downing Barren Fork. 29

District GOING SNAKE. Year 1880 Page 426 No. 32

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Cherokee D 973

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Aleck Downing for the enrollment of his brother Dick Downing, as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on December 14, 1900, Aleck Downing appeared before the Commission at Tahlequah, Indian Territory, and then and there made personal application for the enrollment of his brother Dick Downing, as a citizen by blood of the Cherokee Nation. Aleck Downing is listed for enrollment as a citizen by blood of the Cherokee Nation on Cherokee Field Card No. 6693.

Dick Downing was born and reared in the Cherokee Nation. He is identified on the Cherokee authenticated tribal roll of 1880, as Dick Downing, and is further identified on the Cherokee census roll of 1896 as "Richard Downing."

His inability to appear in person and make application for his enrollment was due to the fact that he was confined in jail at Fort Smith, Arkansas.

The authority of the Commission herein is defined in Paragraph 1, Section 21, of the Act of Congress, June 28, 1898. (30 Stats., 495.)

It is the opinion of this Commission that Dick Downing is lawfully entitled to be enrolled as a member by blood of the Cherokee Tribe of Indians in Indian Territory, and that the application

for his enrollment as such should be granted and it is therefore so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this 20 day of May 1902.

9761

IN RE
THE DEATH OF
Dick Downing
a citizen of the
Cherokee Nation.

Approved MAR 7 1905 190
T. B. Needles
Commissioner.

JH

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 7 1905
Chairman.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Dick Downing (Here insert name of deceased.)

a citizen of the Cherokee Nation, who formerly resided at or near Wetumka (Here insert name of postoffice.), Ind. Ter., and died on the 22 day of November, 1903.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, Alex Downing, on oath state that I am 24 years of age and a citizen, by blood, of the Cherokee Nation; that my postoffice address is Baron (Here insert name of postoffice.), Ind. Ter.; that I am Brother (State relationship as: the father; an uncle; a cousin, etc.) of Dick Downing (Here insert name of deceased.), who was a citizen, by blood, of the Cherokee Nation; and that said Dick Downing (Here insert name of deceased.) died on the 22 day of November, 1903.

his
Alex + Downing
mark

WITNESSES TO MARK:

(Must be Two Witnesses) { E M Jones
T F Ealey

Subscribed and sworn to before me this 29th day of Dec, 1904.

R H Leavitt
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, A T Atkins, on oath state that I am 54 years of age, and a citizen by blood, of the Cherokee Nation; that my postoffice address is Wetumka (Here insert name of postoffice.), Ind. Ter.; that I was personally acquainted with Dick Downing (Here insert name of deceased.) who was a citizen, by blood, of the Cherokee Nation; and that said Dick Downing (Here insert name of deceased.) died on the 22 day of Nov. 1903.

A. T. Atkins

WITNESSES TO MARK:

(Must be Two Witnesses) {

Subscribed and sworn to before me this 29th day of Dec, 1904.

R H Leavitt
Notary Public.

D. 973.

COPY.

Muskogee, Indian Territory, May 21, 1902.

W. W. Hastings, Esq.,

Attorney for the Cherokee Nation.

Sir:

Enclosed herewith please find copy of a decision of the Commission rendered May 20th, in the matter of the application of Aleck Downing for the enrollment of his brother, Mick Downing, as a citizen of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of the above person as a citizen of the Cherokee Nation. If you fail to file the protest within the time allowed this applicant will be regularly listed for enrollment.

Very respectfully,

T. B. Needles.

Commissioner in Charge.

Encl. D-973.

COPY. Cherokee D 973

Muskogee, Indian Territory, June 10, 1902.

Alock Downing,

Baron Fork, Indian Territory.

Sir:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of your application for the enrollment of your brother Dick Downing as a citizen by blood of the Cherokee Nation.

Very respectfully,

Tams Bixby.
Acting Chairman.

Enclosure
Cherokee D 972

Register.

Cher 9762
Huey M. Walkingstick

Cher 9762

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
TAHLEQUAH, I.T., DECEMBER 15th, 1900.

IN THE MATTER OF THE APPLICATION OF Edward Walkingstick for the enrollment of his son, Huey Montgomery Walkingstick as a citizen of the Cherokee Nation, and the said Edward Walkingstick, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q Give me your full name? A Edward Walkingstick.
Q How old are you? A Fifty one.
Q What is your Postoffice? A Barron.
Q In what district do you live? A Goingsnake.
Q Who is it you want to have enrolled?
A Huey Montgomery Walkingstick.
Q One of your children? A Yes sir.
Q How old is he? A Twenty one.
Q He was born in 1879, was he; June 4th? A Yes sir.
Q Twenty one years of age last June, was he? A Yes sir.
Q Why does he not apply for himself? A He is in the "pen".
Q Where is he in prison? A Booneville, Missouri; reform school.
Q When was he convicted? A Last April.
Q Where was he convicted? A At Tahlequah.
Q For how long a term was he convicted? A Five years.
Q Has he lived in the Cherokee Nation all his life? A Yes sir.
Q Where is his Postoffice; same as your's? A Yes sir.

(1880 Roll, Page 496, #2114, Hunt Walkingstick, Goingsnake District)
(1896 Roll, Page 612, #2561, Montie Walkingstick, Goingsnake District)

Q For what offence was this man put in prison? A Larceny.

Com'r. C. R. Breckinridge: The applicant applies for the enrollment of a son, who is in prison at Booneville, Missouri. His son is twenty one years of age, and under the circumstances the applicant is permitted to apply for him. He is said to have been convicted at Tahlequah within the present year, for five years imprisonment: He is identified on the rolls of 1880 and 1896 as a native Cherokee: He has lived in the Cherokee Nation all his life, and he will now be listed for enrollment as a Cherokee by blood upon a doubtful card, in order that the Commission may consult the Court records, if it desires to do so.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 19th day of December, 1900.

COMMISSIONER.

D476

"B"

DEPARTMENT OF THE INT[illegible]
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 15 1900

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 16 1900 1900.

Name Henry M. Walkingstick Barnes, I.T.

District GOING SNAKE. Year 1880 Page 496 No. 2114

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Oh 1880 roll as Mund Walkingstick

Cherokee D 986

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Edward Walkingstick for the enrollment of his son, Huey M. Walkingstick, as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

-o-o-o-

The record in this case shows that on December 18, 1900, Edward Walkingstick appeared before the Commission at Tahlequah, Indian Territory, and then and there made personal application for the enrollment of his son, Huey M. Walkingstick, as a citizen by blood of the Cherokee Nation.

Huey M. Walkingstick is identified on the Cherokee Authenticated Tribal Roll of 1880 as "Hunt Walkingstick," he is also identified on the Cherokee Census roll of 1896 as "Mentie Walkingstick."

At the time of this application the aforesaid Huey M. Walkingstick was confined in the Reform School at Boonsville, Missouri, and unable to make application in person. His residence, prior to his incarceration, was in the Cherokee Nation.

The authority of the Commission herein is defined in Par. 1, Sec. 21, of the Act of Congress, June 28, 1898. (30 Stats., 495).

It is the opinion of this Commission that Huey M. Walkingstick is entitled to be enrolled as a member by blood of the Cherokee Tribe of Indians in Indian Territory, and the application

for his enrollment as such should be granted, and it is therefore so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this 9th day of May 1902.

COPY.

Muskogee, Indian Territory, May 27, 1902.

W. T. Hastings, Esq.,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes rendered May 27th, in the matter of the application of Edward Walkingstick for the enrollment of his son, Huey M. Walkingstick, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of said person as a citizen of the Cherokee Nation. If you fail to file the protest within the time allowed this applicant will be regularly listed for enrollment.

Very respectfully,

(SIGNED) Tams Bixby.

Acting Chairman.

Encl, D-986.

Cherokee D 966

COPY.

Muskogee, Indian Territory, June 11, 1909.

Edward Walkingstick,

Barren, Indian Territory.

Sir:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of your application for the enrollment of your son, Percy K. Walkingstick, as a citizen by blood of the Cherokee Nation.

Very respectfully,

T. B. Needles.

Acting Commissioner in charge.

Register

Enclosure D 966

Cher 1763

Julia Nave

Cher 1763

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 15, 1900.

In the matter of the application of Andy R. Nave for the enrollment of himself, wife and children as Cherokee citizens; he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Andy R. Nave.
Q How old are you? A 46 years old.
Q What is your postoffice? A Tahlequah.
Q Do you live in Tahlequah district? A Yes sir.
Q Who is it you want to enroll; yourself and family? A Yes, myself, and family.
Q Have you a wife? A Yes sir.
Q How many children have you? A Seven children.
Q You a Cherokee by blood? A Yes sir.
Q A full blood? A No sir, quarter Indian.
Q Is your wife a Cherokee by blood? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? Yes sir.
Q Give me the name of your father. A Andy Nave.
Q He's dead? A Yes, he's dead.
Q Give me the name of your mother. A Jane R.
Q Is she alive? A No sir, she's dead.
Q Give me the nameof your wife? A Julia.
Q How old is she? A She's 44 years old.
Q Has she lived in the Cherokee Nation all her life? A Yes sir, all her life.
Q She has been married to you for more than twenty years? A Yes sir.
Q Give me the name of her father. A Wauhillau Eagle.
Q Is he dead? A Yes sir.
Q Give me the name of her mother. A I don't know. I heard her name was Pauline.
Q Is she living? A I reckon she is living.
Q Give me the names of these seven children. A Ella C.
Q How old is that child? A She's twenty.
Q Next child? A Andy R., Jr., 18.
Q The next child? A George F.
Q How old is that child? A 16.
Q Next child? A Joanna C.
Q How old is she? A She's 15.
Q The next child? A Fannie B.
Q How old is she? A 10.
Q The next child? A Ida M.
Q How old is she? A 7.
Q The next child? A Susie E.
Q How old is she? A Born the 23rd of April, 1898, two years old.
Q These children are all living now are they? A Yes sir.
1880 roll; page 765, #1473, A. R. Nave, Tahlequah district
1880 roll; page 756, #672, Julia Eagle " (Adopted colored)
1880 roll; page 756, #673, Pauline Eagle, " " "
1896 roll; page 1215, #2306, Andy R. Nave " Native Cherokee.
Q This wife Julia living with you now? A Yes sir.
1896 roll; Page 1215, #2309, Ella Nave, Tahlequah, native Cherokee.
1215, #2310, Andrew R. Nave Jr. " " "
1215, #2311, George " " " "
1215, #2312, Joanna " " " "
1215, #2313, Fannie " " " "
1215, #2314, Ida " " " "
Q You and your wife have never been separated, have you? A No sir.
Q [illegible] A Yes sir, here is a [illegible] on our rolls.
[illegible] A Yes sir.
[illegible] Julia Nave, Tahlequah.
[illegible] Julia Eagle.

adopted colored.)
Q Did your wife draw strip money? A Yes sir.
Q Have you got some evidence of it? A Yes sir, I gave it to you. 1896 roll; page 1216, #2529, Julia Nave, Tahlequah, Native Cherokee. The applicant presents an official copy of an act approved Nov. 2, 1894, appropriating $905.70 to be paid respectively to certain persons from funds having accrued from the sale of lands west of the Arkansas River, or any other money in the treasury, etc. The same persons being referred to as persons entitled in the payment of the strip funds, and found to be entitled by the revising Committee of Tahlequah district. This is filed herewith.
Q When were you married? A In 1875.
Q You and your wife have lived together ever since you were married?
A Yes sir.

Commissioner Breckinridge-
The applicant applies for the enrollment of himself, his wife, and seven children. He is identified on the rolls of 1880 and 1896 as a native Cherokee. He has lived in the Cherokee Nation all his life, and he will be listed for enrollment as a Cherokee by blood. His wife is identified with him on the roll of 1880 as his wife. He states that they have lived together ever since their marriage, and she is identified with reasonable certainty on the roll of 1896. Her status will be referred to further on in this decision. She is said to have lived in the Cherokee Nation all her life. Of the children of this marriage applied for at this time, and enumerated in the testimony, seven in number, the first six are duly identified on the roll of 1896 as native Cherokees. They are all living, are minors, and they will be listed now for enrollment as Cherokees by blood. When a certificate of birth of the youngest child, Susie E., is filed with the Commission, this child will also be listed for enrollment as a Cherokee by blood. The applicant's wife is identified on the roll of 1880 as an adopted colored. She is identified on the roll of 1896 as a native Cherokee. She is shown to have been placed on the roll of 1894, a Cherokee blood roll, and the red mark drawn through her name is said in connection with the note given in the testimony to be evidence of her having been rejected from that roll as a Cherokee by blood. This view is expressed by the Cherokee representative present in conference with the Commissioner. Her identification on the roll of 1896 is apart from that of her family, and her age is there given as 34, but no serious doubt is entertained about that being the enrollment of this woman, which may have been attended with some dissension at the time. There is filed herewith an official copy of an act of the Cherokee Commission placing the name of this applicant upon a list of persons found by the revising Committee of Tahlequah district to be entitled to Cherokee strip money, said act of the Cherokee Council being approved approved Nov. 27, 1894. For the further consideration of the applicant's wife, she will now be listed upon a doubtful card, being classed at present as a Cherokee by blood. The final decision will be made known to the applicant at his postoffice address.

I. C. Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

I. C. Rothenberger

Subscribed and sworn to before me this 11th day of December, 1900.

Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 15 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Julia Nave, Tahlequah I.T.
TAHLEQUAH.

District Year 1880 Page 756 No. 672

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

No 1 on 1880 roll as Julia Eagle adopted Colored

S. B. : 2

An act

making appropriation for the benefit of persons omitted in the payment of the Strip Funds, and found to be entitled by the [illegible] of Tahlequah District

Be it further enacted by the National Council, That the sum of Two hundred and Sixty five dollars and seventy cents be and the same is hereby appropriated for the benefit of the following named persons born and of any money being accruing from the Sale of lands west of the Arkansaw River or any other money in the Treasury belonging to the general fund not otherwise appropriated and the Treasurer is hereby authorized to pay said persons on the Warrant of the Principal Chief who is hereby directed to issue printed warrants in favor of said persons to the amt of each Viz.

1	Jennie Lewis	$265.70
2	Jennie Hildebrand	265.70
3	Nettie Hampton	265.70
4	Zena Hampton	265.70
5	Lorena Gray	265.70
6	Joseph Ogee	265.70
7	Mary Ogee	265.70
8	[illegible] Lewis	265.70
9	[illegible] Lewis	265.70
10	[illegible]	265.70
11	[illegible]	265.70
	[illegible]	265.70

13	Peggy	Allen	265 70
14	Mary	Allen	265 70
15	Alice	Allen	265 70
16	Ephraim	Thom	265 70
17	Wm R.	Thom	265 70
18	Lucien	Thom	265 70
19	Samuel	Underwood	265 70
20	Martha	Underwood	265 70
21	James	Underwood	265 70
22	Jeremiah	Underwood	265 70
23	Lustus	Underwood	265 70
24	Polly	Cooper	265 70
25	Eli	Springston	265 70
26	Jennie	Rogers	265 70
27	Julia	Moore	265 70
28	George	Bailey	265 70
29	John	Vann	265 70
30	Lucy	Cary	265 70

Recd for entry and filing

X X X X

X X X X

Panama Ohio June 26th 1894

J.G. Moore

Clerk Lincoln Probate

Deputy Clerk Lincoln Probate

Examined by the Commissioners Nov 26th 1894

J Wilson

Clerk Commissioners

O Thorp

Chairman of Commissioners

Approved Nov 27th 1894

B. J. Harris

Commissioners Clerk



Executive Office Cherokee Nation,

Tahlequah, I. T.

I, B. W. Alberty, assistant Executive [illegible] the Cherokee Nation do hereby certify, that I have compared the foregoing with the original on record in this office and find the same to be a true copy of section first and concluded as indicated in act of council. of the November copy and approved on the 27th, 1894.

Given under my hand and the seal of the Cherokee Nation this the 14th day of December 1900.

B. W. Alberty

Assistant Executive [illegible]
Cherokee Nation.

E.

C. D-990.

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 14, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Julia Ward for the enrollment of herself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 26, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission while in session in Muskogee, I. T., on the 14th day of March, 1902, and that she and her attorneys might appear before the Commission, either in person or by attorney, when an opportunity would be given her to introduce any additional testimony affecting her application. Receipt has been acknowledged of the Commission's letter and the applicant having this day, to-wit: the 14th day of March, 1902, been called, and failing to respond, it is deemed that her case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Cherokee D-990.

905

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

---oOo---

In the matter of the application for the enrollment of Julia Nave as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on December 15th 1900 Andy R. Nave appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment, among others, of his wife, Julia Nave, as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 14th 1902. The other parties to this application are differently classified, and are not embraced in this decision.

The evidence shows that the applicant is identified on the 1880 authenticated roll of the Cherokee Nation as Julia Eagle (adopted colored), that being her name prior to marriage; that she is identified on the 1896 Census Roll of said Nation as a native Cherokee; and that in 1875 she was lawfully married to Andy R. Nave, a Cherokee by blood, who has resided in the Cherokee Nation all his life and who is identified on the said 1880 roll. That the applicant has resided in said Nation all her life, and has lived with her said husband continuously since their marriage; and that she was still residing in the said Nation at the date of this application.

The evidence further shows that the applicant drew money as a Native Cherokee under the Cherokee strip payment of 1894, as appears from a duly certified copy of the first section of an Act of the National Council of the Cherokee Nation, making appropriation for the benefit of the persons omitted in the payment of the strip funds, and found to be entitled by the Registering Committee of Tahlequah District, which copy is on file with this Commission. It is further established by the evidence that the applicant is a Cherokee by blood and not colored.

It is therefore the opinion of this Commission that Julia Nave should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28th, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory/

this AUG 11 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 24, 1902.

Mr. Andy R. Nave,

Tahlequah, Indian Territory.

Sir:-

You are hereby notified that the application of Julia Nave

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 14 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-998
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

RETURN TO THE DEPARTMENT OF CIVILIZED NATIONS
COMMISSION TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, OKLAHOMA

FILED

SEP 20 1902

Chrokee D-990

Muskogee, Indian Territory, March 14, 1906.

Mr. Andy H. Nave,

Tahlequah, Indian Territory,

Dear Sir:-

The Commission is in receipt of your letter of March 10, asking that the final hearing of the application for enrollment as a citizen of the Cherokee Nation of your wife Julia Nave, be continued until some day later than the 14 of March, the date set for the hearing of this case.

In reply you are advised that on the above date the application for the enrollment of Julia Nave was called, and there being no appearance the same was deemed completed. Will you please advise the Commission if you have any additional testimony which you wish to present and if so, on what date you will be able to appear before the Commission.

Upon receipt of your letter the question of reopening this application will be [illegible] consideration.

Yours truly,

Commissioner in Charge.

COPY

Enrolled 3 990.

Muskogee, Indian Territory, August 13, 1906.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, rendered August 13, 1906, granting the application for the enrollment of Julia Hays as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against its decision. If you fail to file a protest within the time allowed, this decision will be considered final.

Very respectfully,

Tams Bixby.

Acting Chairman.

Enc. C. No. 34.

Muskogee, Indian Territory, August 27, 1902.

Andy R. Neve,

Tahlequah, Indian Territory.

Sir;

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, dated August 11, 1902, granting your application for the enrollment of your wife, Julia Neve, as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. C. No. 88.

Inclosure.

Cher 9764
Louisa McPhearson

Cher 9764

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T. December, 18th 1901

In the matter of the application of Louisa McPhearson for the enrollment of herself and son as Cherokee citizens. She being sworn before Commissioner Breckinridge, testified as follows-

Q What is your name? A. Louisa McPhearson.
Q What is your age? A. 48,
Q What is your post office? A. Tahlequah.
Q What district do you live in? A. Tahlequah.
Q Who do you desire to have enrolled? A. Myself and son.
Q How old is your son? A. 22.
Q Where is he? A. In the Muskogee jail.
Q Are you a Cherokee by blood? A. Yes sir.
Q Have you lived in the Cherokee Nation all your life? A. All the days of my life.
Q Give me the name of your father? A. Ekixxx Elic McPhearson.
Q Is he dead? A. Yes sir.
Q Give me the name of your mother? A. Charlotte.
Q Is she dead? A. Yes sir.
Q When were you married? A. In 1871.
Q How often have you been married? A. Twice.
Q Was your first marriage in 1871? A. Yes sir.
Q To whom were you married in 1871? A. Sam Scharble
Q Was he a white man? A. A German.
Q Is he dead? A. No sir.
Q How long did you live with him? A' I lived with him fifteen years.
Q And then seperated? A. Yes sir.
Q Was there a divorce granted? A. Yes sir.
Q Was it granted to you? A. No sir to him.
Q When were you married the second time? A. Somewhere long in the latter part of the ~~xxx~~ 80's——some time after 1886, sometime between 1886 and 1890——after the divorce was granted.
Q To whom were you married the last time? A. Robert Miller.
Q Was he a white man? A. Yes sir.
Q Is he living? A. No sir.
Q When did he die? A. About three years ago, but we were seperated when he died.
Q How long did you live with him? A. One year.
Q And then you were divorced? A. Yes sir.
Q And you have not re-married since your last divorce? A. No sir.
Q Was the divorce granted to you in this last case? A. Yes sir to me.
Q Did you say that your first husband got the divore, that it was granted to him? A. Yes sir.
Q On what grounds did he get that divorce? A. I cant tell you.
Q Did you leave him or did he leave you before the divorce was granted A. He left me.
Q Your last husband, did he leave you or did you leave him? A. He left, but I was willing for him to go, I staid at my home.
Q In both cases you continued to reside at your home? A. Yes sir.
Q Are you on the roll of 1880 under the name of your first husband? A. Yes sir.
Q In on the roll of 1896 are you there as Miller or McPhearson? A. A. Scharble.
Q Give me the name of your child? A. Joseph O. Scharble.
Q Is he living now? A. Yes sir.
Q Has he lived all his life in Tahlequah? A. Yes sir born right here in Tahlequah.
Q Have you some one here who has known you since last [illegible]
[illegible]
Q What is your home post office address? A. Same as mine.

1880 roll, page 811, No 2251, Louisa Scharble, Tahlequah district.
1880 811 2253 Otto Scharble, "
1896 1259 2949 Louisa Scharble "
1896 1259 2951 Otto Scharble "

RICHARD M. DANNENBERG, called as a witness, sworn and testified as follows-

Q What is your name? A. Richard Dannenberg.
Q What is your post office? A. Tahlequah.
Q Are you one of the witnesses for the Cherokee Nation? A Yes sir.
Q Do you know this lady, Mrs McPhearson? A. Yes sir.
Q Whose daughter is she? A. Elic McPhearson's
Q Was she married twice? A. Yes sir.
Q What was the name of her first husband? A Sam Scharble.
Q Was she divorced from him? Al Yes sir.
Q Did you hear of her marrying again? A. Yes sir.
Q Who did she marry the cesond time? A. A man named Miller.
Q Is she divorced from him? A. Yes sir that is what I understand.
Q Has she resumed her maiden name? A. Yes sir but she goes by the name of Scharble most of the time .
Q But she is also known as Louisa McPhearson? A. Yes sir that is her maiden name. She is a first cousin of mine.

By the Commission of applicant-

Q Did the Court give you back your maiden name? A. Yes sir.
Q Do you sign yourself that way? A. Yes sir.
Q When you were divorced from your first husband which name did you get from the Court? A. I asked fro my maiden name.
Q When you were divorced from your last husband did you ask for your maiden name? A. I have tried to be called by my maiden name but Im afraid that I will never be able to be known by any other name than Scharble.

The applicant applied for the enrollment of herself and one child, a son 22 years of age, who is said to be in jail at Muscogee, and unable to apply for himself. She is identified on the rolls of 1880 and 1896 as a native Cherokee; she states that she has lived in he Cherokee Nation all her life. The change in her name is established by satisfactory testimony, but a doubt is entertained at present as to whether the Commission has a right to enroll her as McPhearson, Scharble or Miller; for the purpose of obtaining further testimony on this point, and for the further consideration of the matter she will now be listed as a Cherokee by blood on a doubtful card, there being no question as to her right to enrollment, but only as to form of name of her enrollment. Her son Joseph O. Scharble is identified on the 1880 and 1896 rolls as a native Cherokee, he has lived in the Cherokee Nation all his life, and he will now be listed for enrollment as a Cherokee by blood on a doubtful card in order that the Commission may examine the records of the Muscogee Jail in case it desires to do so.

Chas. Von Wolke, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this the 23rd day of January, 1901.

Notary Public.

CHEROKEES BY BLOOD ADOPTION

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 18 1900

ACTING CHAIRMAN.

Enrollment of Applicants Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 18 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Louisa A. McPherson Tahlequah I.T.

District TAHLEQUAH. Year 1880 Page 811 No. 2253

Citizen by blood Full

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Joseph O. Acharlee Dist. TAHLEQUAH. Year 1880 Page 811 No. 2253 Age 2 7

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

On 1880 roll as Louisa Acharlee

Testimony Evidence as to change of name to be supplied

in full at Muskogee — Mrs of No 1

Louisa Scamble, Vs Simon Scamble } Divorce & part of the property that was held while living together.

The foregoing cause was by consent, each party to pay

its own witnesses, and

Cherokee Nation, ss.

In the District Court, in and for the Tahlequah District, in said Nation, and at the Court House in said District, on the 19th day of December A.D. 1892.

Now on this day this cause coming on to be heard, and the plaintiff appearing by her attorney, and the defendant appearing in person, and by his attorney, and both parties announcing ready for trial, and a jury being waived by the parties hereto, and the matters of law and fact submitted to the Court, the Court finds that the plaintiff is entitled to a divorce from the defendant, and that the property rights of the parties hereto should be settled as follows, to-wit:

It is therefore considered by the Court that the plaintiff be granted a divorce from the defendant, and that the property rights of the parties hereto be settled as follows, to-wit:

That the plaintiff have and recover of the defendant the following described property, to-wit: One cow and calf, one heifer, one bed and bedding, one bureau, one cook stove, one table, one set of chairs, one set of knives and forks, one set of dishes, one set of cooking utensils, one sewing machine, one trunk, one lot of chickens, one lot of hogs, one lot of corn, one lot of potatoes, one lot of fodder, one lot of hay, one lot of wood, one lot of coal, one lot of lumber, one lot of shingles, one lot of nails, one lot of paint, one lot of oil, one lot of glass, one lot of putty, one lot of brushes, one lot of tools, one lot of harness, one lot of saddles, one lot of bridles, one lot of whips, one lot of spurs, one lot of guns, one lot of ammunition, one lot of traps, one lot of skins, one lot of furs, one lot of feathers, one lot of quills, one lot of ink, one lot of pens, one lot of pencils, one lot of paper, one lot of books, one lot of maps, one lot of charts, one lot of globes, one lot of instruments, one lot of clothing, one lot of boots, one lot of shoes, one lot of hats, one lot of caps, one lot of gloves, one lot of mittens, one lot of scarves, one lot of handkerchiefs, one lot of collars, one lot of cuffs, one lot of ties, one lot of buttons, one lot of pins, one lot of needles, one lot of thread, one lot of yarn, one lot of cloth, one lot of leather, one lot of rubber, one lot of gutta percha, one lot of celluloid, one lot of ivory, one lot of bone, one lot of horn, one lot of hair, one lot of feathers, one lot of quills, one lot of ink, one lot of pens, one lot of pencils, one lot of paper, one lot of books, one lot of maps, one lot of charts, one lot of globes, one lot of instruments, one lot of clothing, one lot of boots, one lot of shoes, one lot of hats, one lot of caps, one lot of gloves, one lot of mittens, one lot of scarves, one lot of handkerchiefs, one lot of collars, one lot of cuffs, one lot of ties, one lot of buttons, one lot of pins, one lot of needles, one lot of thread, one lot of yarn, one lot of cloth, one lot of leather, one lot of rubber, one lot of gutta percha, one lot of celluloid, one lot of ivory, one lot of bone, one lot of horn, one lot of hair,

Given under my hand and seal of the Cherokee Nation this the 19th day of December A.D. 1892.

B. W. Alberty

Clerk of the District Court,

Cherokee Nation.

[redacted]

D1014

6"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 19 1900

Acting Chairman.

21014

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
DEC 19 1900

Acting Commissioner

Cherokee Nation

Robert Miller
vs.
Louisa Miller

For Divorce, For recognition.

Executive Office Cherokee Nation,
Tahlequah, I.T.

A true copy from record in this office
For publication
and in my custody
Given under my hand and seal
19th day of November

B. W. Alberty
Executive Secretary
Cherokee Nation.

Cherokee D 1014

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Louisa McPhearson for the enrollment of herself and her son, Joseph O. Scharble, as citizens by blood of the Cherokee Nation.

D E C I S I O N .

-o-o-o-

The record in this case shows that on December 18, 1900, Louisa McPhearson appeared before the Commission at Tahlequah, Indian Territory, and then and there made application for the enrollment of herself and her son, Joseph O. Scharble, as citizens by blood of the Cherokee Nation.

Louisa McPhearson was married in 1871 to one Sam Scharble, and as a result of that marriage Joseph O. Scharble, the applicant in this case was born. She is identified on the Cherokee authenticated tribal roll of 1880, also on the Cherokee Census roll of 1896 as "Louisa Scharble," a native Cherokee. Subsequent to her enrollment on the 1880 roll, as hereinbefore shown, she was divorced from her husband Sam Scharble, and makes this application under her maiden name.

Joseph O. Scharble is identified on the Cherokee tribal roll of 1880, also the Cherokee census roll of 1896. His inability to make application in person is explained by the fact that he is confined in jail at Muskogee, Indian Territory.

Both applicants in this case have resided in the Cherokee Nation all of their lives.

The authority of the Commission herein is defined in Paragraph 1, Sec. 21, of the Act of Congress, June 28, 1898. (30 Stats., 495).

It is therefore the opinion of the Commission that Louisa McPhearson, and her son Joseph O. Scharble are entitled to be enrolled as members by blood of the Cherokee Tribe of Indians in Indian Territory, and that the application for their enrollment as such should be granted and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this 20. day of May 1902.

D. 1614.

COPY.

Muskogee, Indian Territory, May 21, 1902.

W. W. Hastings, Esq.,

Attorney for the Cherokee Nation.

Sir:

Enclosed herewith please find copy of a decision of the Commission rendered May 20th, in the matter of the application of Louisa McPherson for the enrollment of herself and her son, Joseph O. Shamble, as citizens of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of the above persons as citizens of the Cherokee Nation. If you fail to file the protest within the time allowed these applicants will be regularly listed for enrollment.

Very respectfully,

T. B. Needles.

Commissioner.

Encl. C-1614.

COPY. Cherokee D 1014

Muskogee, Indian Territory, June 10, 1908.

Louisa McPherson,

Tahlequah, Indian Territory.

Madam:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of the application of youre self and your son Joseph C. Scharble as citizens by blood of the Cherokee Nation.

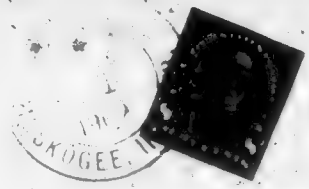
Yours respectfully,

Tams Bixby.

Acting Chairman.

Enclosure D 1014

Register.



REGISTERED
JUL 15 1902
TAHLEQUAH, IND. TER.
REGISTERED NO. 28

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

Louisa M. Thurston
Tahlequah
I. T.

Cher 1765

Thomas Rowe

Cher 1765

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T. December, 18th 1902.

In the matter of the application of James Rowe for the enrollment of himself and children as Cherokee citizens. He being sworn before Commissioner Breckinridge, testified as follows-

Q What is your name? A. James Rowe.
Q How old are you? A. 54.
Q What is your post office? A. Oaks.
Q In what district do you live? A. Saline.
Q Who is it that you want to have enrolled? A. Myself, one little girl and two boys in the penitentiary.
Q Are you a full blood Cherokee? A. Yes sir.
Q Give me the name of your father? A. Terry Rowe.
Q Is he dead? A. Yes sir.
Q Give me the name of your mother? A. Ellen Rowe.
Q Is she dead? A. Yes sir.
Q Give me the name of this child at home? A. Betsie Rowe.
Q How old is she? A. 16.
Q Is she living with you now? A. Yes sir.
Q Give me the name of the mother of this child? A. Lida.
Q Was she your wife? A. Yes sir.
Q Is she dead? A. Yes sir.
Q Was she a Cherokee? A. Yes sir.
Q Full blood? A. Yes sir.
Q How long has she been dead? A. Soon be three years.
Q Did she live in the Cherokee Nation all her life? A. Yes sir.
Q Was she your wife in 1880? A. Yes sir.

1880 roll, page 659, No 945, James Rowe, Saline district.
1880 roll, page 659, No 944, Lida Rowe, "
1896 roll, page 1014, No 994, James Rowe, Saline district
1896 roll, page 1014, No. 998, Betsy Rowe, Saline district.

Q Give me the name of the oldest one that is in prison. A Thomas Rowe
Q How old is he? A. 24.
Q Has he lived in the Cherokee Nation all his life? A. Yes sir.
Q What prison is he in? A. Columbus, Ohio.
Q Where was he convicted? A. Right here.
Q At Tahlequah? A. Yes sir.
Q When? A. Last May.
Q For how long? A. One year.
Q What for? A. Larceny.
Q Give me the name of the next child? A. Dick Rowe.
Q How old is he? A. 22.
Q What prison is he in? A. Fort Leavenworth.
Q When was he sent there? A. Last May from here.
Q For how long a time? A. Five years.
Q What for? A. Larceny.

1896 roll, page 667, No 995, Thomas Rowe, Saline district,
" 998 946 Dick Rowe, "
" 1014 1007 Thomas Rowe, "
" 1014 1008 Dick Rowe, "

[illegible] testifies for the enrollment of himself, and three children [illegible] four [illegible] one male of age, [illegible] and said is an [illegible]

children, Thomas Rowe is identified on the 1880 and 1896 rolls as a Native Cherokee, he has lived in the Cherokee Nation all his life he is said to be confined in the Columbus Ohio penitentiary under a sentence of one year from May of this year and to have been convicted at Tahlequah. He will be listed for enrollment as a Cherokee by blood on a doubtful card in order that the Commission may consult the Court records if it desires to do so. The son Dick Rowe is also identified on the 1880 and 1896 rolls as a native Cherokee, he has lived in the Cherokee Nation all his life and he is said to have been sentenced for five years from Tahlequah from May of this year and to be in prison at Fort Leavenworth. He will be listed for enrollment as a Cherokee by blood on a doubtful card in order that the Commission may consult the Court records if it desires to do so.

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Chas von Weise

Subscribed and sworn to before me this the 10th of January, 1903.

Commissioner.

6402

B1015

PARTMENT OF THE INTERIOR
SION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 10 1901

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 18 1900 1900.

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

1 Thomas Rowe	Dist. Saline	Year 1880	Page 657	No. 885	Age 22
2 Dick "	Dist. "	Year 1880	Page 659	No. 945	Age 22
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Nos 1 & 2 - In prison and their father James Rowe applies for them

R 1016

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 18 1900

ACTING CHAIRMAN

Cherokee D 1015

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of James Rowe for the enrollment of his two sons, Thomas Rowe and Dick Rowe, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

James Rowe is listed for enrollment as a citizen by blood of the Cherokee Nation, together with his daughter Betsy Rowe, on Cherokee Field Card No. 6902, therefore their application is not passed upon at this time.

The record in this case shows that on December 18, 1900, James Rowe appeared before the Commission at Tahlequah, Indian Territory, and then and there made personal application for the enrollment of his sons, Thomas Rowe and Dick Rowe, as citizens by blood of the Cherokee Nation.

Thomas Rowe and Dick Rowe are identified on the Cherokee tribal roll of 1880, also on the Cherokee Census roll of 1896. At the time of this application Thomas Rowe was confined in the penitentiary at Columbus, Ohio, and his brother Dick Rowe was confined in the pentitentiary at Fort Leavenworth, Kansas, thus explaining their inability to make application in person.

Both applicants were residents of the Cherokee Nation prior to June 28, 1898.

The authority of the Commission herein is defined in Paragraph 1, Section 21, of the Act of Congress, June 28, 1898, (30 Stats. 498.)

It is therefore the opinion of this Commission that Thomas

Rowe and Dick Rowe are entitled to be enrolled as members by blood of the Cherokee Tribe of Indians in Indian Territory, and that the application for their enrollment as such should be granted and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
This MAY 20 1902

B. 1018.

COPY.

Muskogee, Indian Territory, May 21, 1902.

W. W. Hastings, Esq.,

Attorney for the Cherokee Nation.

Sir:

Enclosed herewith please find copy of a decision of the Commission rendered May 20th, in the matter of the application of James Rowe for the enrollment of his sons, Thomas Rowe and Dick Rowe, as citizens of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of the above persons as citizens of the Cherokee Nation. If you fail to file the protest within the time allowed these applicants will be regularly listed for enrollment.

Very respectfully,

T. B. Needles.

Acting Chairman.
Commissioner in Charge.

Encl. 0-1015.

E. 1233.

COPY.

Muskogee, Indian Territory, May 21, 1902.

W. W. Hastings, Esq.,
Attorney for the Cherokee Nation.

Sir:

Enclosed herewith please find copy of a decision of the Commission rendered May 20th, in the matter of the application of James Rowe for the enrollment of his sons, Thomas Rowe and Dick Rowe, as citizens of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with the Commission such protest as you desire to make against the enrollment of the above persons as citizens of the Cherokee Nation. If you fail to file the protest within the time allowed these applicants will be regularly listed for enrollment.

Very respectfully,

T. B. Needles.

Acting Chairman.
Commissioner in Charge.

Encl. 0-1611.

[illegible]

[illegible], Indian Territory, [illegible], 1902.

W. Turner Rowe,

Oake, Indian Territory.

Sir:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of your application for the enrollment of your sons Thomas and Dick Rowe as citizens by blood of the Cherokee Nation.

Very respectfully,

Tams Bixby,
Acting Chairman.

Cherokee D. 1016
Register

Cher 9/66

Solomon Hosmer

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 10th, 1901.

In the matter of the application of Solomon Hosmer for enrollment as a citizen of the Cherokee Nation; said Hosmer being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name, please? A Solomon Hosmer.
Q How old are you, Mr. Hosmer? A I am 56 years old.
Q What is your post office? A Muskogee.
Q In what district do you live? A Canadian.
Q Who is it you want to have enroll, yourself and family? A No, just myself.
Q Are you a Cherokee by blood? A Yes, sir, my mother was a Cherokee.
Q How long have you lived in the Cherokee Nation? A I was born and raised in the Cherokee Nation.
Q How long have you lived there, all your life? A Yes, sir.
Q Give me the name of your father Major John Hosmer, Fort Gibson.
Q Is he dead? A Yes, sir.
Q Give me the name of your mother? A My mother was Sallie Hosmer, Fort Gibson.
Q Is she dead? A Yes, sir.
Q Have you ever been married? A Yes, sir.
Q How often have you been married? A Twice.
Q Were your wives white woman or Cherokees? A My first wife was a Cherokee woman.
Q What is her name? A Melvina Hosmer.
Q Is she on the roll of 1880? A No, sir, she is not there, she died before the roll of 1880 was made.
Q Now, your second wife? A My second wife is a Creek, Susan.
Q Is she dead? A No, sir.
Q You have had her enrolled as a Creek have you? A Not myself individually, but my Creek family is.
Q She makes no claim as a Cherokee? A No, sir.
Q Now, have you any children by any of these marruages? A I have got three children on this Cherokee roll by my first wife.
Q They are of age are they? A Would have been if they were alive, they are all dead but one Q Have you any children on the 1880 roll that are dead? A Yes, sir, Mary Hosmer, John Hosmer and Elizabeth Hosmer.
Q These three are dead? A No, sir, Mary and Elizabeth.
1880 Roll; page 21, #688, P. Solomon Hosmer, Canadian.
Q How did they happen, to put that "P" in your name? A I do not know, I never put it there.
1896 Roll; page 34, #926, Soloman Hosmer, Canadian. (Note: "Living in Muskogee.")
Q Where are you making your home at this time? A Here in Muskogee.
Q I thought you said you lived in Canadian district. A That is my home in the Cherokee Nation, That is what I meant.
Q How long have you been living in Muskogee? A Well, I have been here 17 years off and on.
Q How long have you been making this continuously your home? A About 16 years. I have owned property here in Town about 12 years; that is, my wife has.
Q Have you business interests to any extent over in the Cherokee [illegible] A No, sir.
Q Who are here are they? A Yes, sir.
Q [illegible] you claim the [illegible] home, if [illegible] and all your [illegible] A I [illegible] Canadian [illegible] few

years ago; born and raised in Fort Gibson.
Q But you have just testified that you have been living continuously here in Muskogee for the past 16 years? A Yes, sir, and Canadian district was a district before 16 years.
Q How could you have been living in Canadian district a few years ago? A I did not say that.
Q How can you claim your citizenship in Canadian district when you have lived for 16 years in the town of Muskogee? A Well I do not know anything about that, I was just telling you how it was. I do not set up here to claim any right at all if it is not due.
Q You have just stated that you are a citizen of Canadian district?
A I am a citizen of Canadian district.
Q Well, prove it? A I can prove it; I have been enrolled there for the past 25 years.
Q You claim it on the ground that you have been enrolled in Canadian district, but not that you live there or have any business interest there? A Yes, sir.

Com'r Breckinridge:--The applicant applies for the enrollment ofhimself. His wife, as he states, being a Creek and no application is made for her. He is identified on the rolls of 1880 and 1896 as a native Cherokee. He claims to have lived in the Cherokee Nation all his life, but states that he has lived in the Town of Muskogee, which is in the Creek Nation, continuously for the past 16 years, and that he has no home or matérail interests in the Cherokee Nation, and that his actual home and all of his interests are here. He will be listed for enrollment as a Cherokee by blood, upon a doubtful card for the further consideration of his rights arising from the facts as given in his testimony relating to his residence.

---oooOOOoooo---

I, O. Rosson, being first dulysworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

O. Rosson

Subscribed and sworn to before me this 10th day of January, 1901.

Commissioner.

RECEIVED

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

FILED

JAN 22 1901

Cherokee D 1025.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Solomon Hosmer for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 10, 1901, Solomon Hosmer appeared before the Commission at Muskogee, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation.

The evidence further shows that applicant is identified on the 1880 authenticated tribal roll of the Cherokee Nation and the 1896 census roll; that he is a Cherokee by blood and has resided all of his life in the Cherokee Nation, Indian Territory, except the last 16 or 17 years, during which time he has resided in Muskogee in said Territory.

It is, therefore, the opinion of this Commission that said Solomon Hosmer should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this AUG 11 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 10 1901

ACTING CHAIRMAN.

Department of Applicants Tahlequah Cherokee Nation

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 10 1901 (or 1900).

Name Dolomon Hoomer Muskogee I.T.

District CANADIAN. Year 1880 Page 21 No. 88

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Enrolled

P. Dolomon Hoomer

On 1880 roll as P. Dolomon Hoomer

No. 9766

IN RE
THE DEATH OF

Solomon Hoomes
a citizen of the

Cherokee Nation.

Approved May 17 1904
T. R. Buckingham
Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 17, 1904

CHAIRMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Solomon Hosmer
(Here insert name of deceased.)

a citizen of the Cherokee Nation, who formerly resided at or near Muskogee, Ind. Ter., and died on the 22nd day of December, 1902.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
_____ District.

I, John T Hosmer, on oath state that I am 32 years of age and a citizen, by blood, of the Cherokee Nation; that my post office address is Muskogee, Ind. Ter.; that I am
(Here insert name of postoffice.)

son of Solomon Hosmer,
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)

who was a citizen, by blood, of the Cherokee Nation; and that said Solomon Hosmer died on the 22 day of December, 1902.
(Here insert name of deceased.)

John T Hosmer

WITNESSES TO MARK:

(Must be Two Witnesses.) _____

_____

Subscribed and sworn to before me this 17 *day of* May *1904.*

Samuel Foreman
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
_____ District.

I, Robert L Baugh, on oath state that I am 39 years of age, and a citizen, by blood, of the Cherokee Nation; that my post office address is Muskogee, Ind. Ter.;
(Here insert name of post office.)

that I was personally acquainted with Solomon Hosmer
(Here insert name of deceased.)

who was a citizen, by blood, of the Cherokee Nation; and that said Solomon Hosmer died on the 22nd day of December, 1902.
(Here insert name of deceased.)

Robt L Baugh

WITNESSES TO MARK:

(Must be Two Witnesses.) _____

_____

Subscribed and sworn to before me this 17 *day of* May *1904.*

Samuel Foreman
Notary Public.

Cherokee D 1[illegible]3.

COPY.

Muskogee, Indian Territory, August 13, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, rendered August 11, 1902, granting the application of Solomon Hosmer for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against its decision. If you fail to file a protest within the time allowed, this decision will be considered final.

Very respectfully,

Tams Bixby.

Acting Chairman.

Enc. C. No. 32.

COPY.

Muskogee, Indian Territory, August 25, 1902.

Solomon Kenner,

Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, dated August 11, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby,

Acting Chairman.

Enc. C. Sc. Bl.

Register.

Figure
Golus Rugers

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., December 17, 1900.

In the matter of the application of Gabe Rogers for the enrollment of himself as a Cherokee citizen; being sworn and examined by Commissioner Needles he testified as follows:

Q What is your name? A Gabe Rogers.
Q How old are you, A I was about eight or nine years old when the war commenced.
Q What is your post-office? A Melvin.
Q In what district do you live? A Tahlequah District.
Q Are you a citizen by blood of the Cherokee Nation, A Yes sir
Q Who do you want to enroll? A Myself.
Q Have you got a family? A I did have; my family are all enrolled; I had a family, the woman was named Bettie, and there was one child named Susie.
1880 roll page 168 #2508 Gabe Rogers Coeweescoowee "adopted colored"
Q Have you always lived in the Cherokee Nation? A Yes sir.
Q Born in the Cherokee Nation, A Yes sir.
Q Living here now? A Yes sir.
1896 roll examined for applicant and not found;

Com'r:Needles: The name of Gabe Rogers appears upon the authenticated roll of 1880; he is duly identified according to page and number of the roll as indicated in the testimony; he makes satisfactory proof as to residence, consequently said Gabe Rogers will be duly listed for enrollment as a Cherokee citizen by blood.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this December 19, 1900.

Commissioner.

D 039

a

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 16 1901

ACTING CHAIRMAN.

Enrollment of Applicants Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

(18) Date DEC 17 1900 1900.

Name Gale Rogers Melvin Ind. Ty.

District COOWEESCOOWEE. Year 1880 Page 168 No. 2508

Citizen by blood yes Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Sample Ave. Ordered Travel south from regular Road 1875 to Doubtful Road 2039 by John Breckenridge.

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 17 1900

ACTING CHAIRMAN

ADOPTION BY CHOCTAW FREEDMEN

SUPPLEMENTAL TESTIMONY.

~~#6875.~~
D1039

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., DECEMBER 19th, 1900.

SUPPLEMENTAL TESTIMONY in the matter of the application of Gabe Rogers for enrollment as a citizen of the Cherokee Nation:

STEPHEN SPEARS, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Stephen Spears.
Q What is your age? A 60.
Q What is your post office? A Tahlequah.

INTERROGATORIES BY W. W. HASTINGS, Cherokee Representative:

Q Do you know Gabe Rogers? A Yes, sir.
Q His post office is Melvin? A Yes, sir.
Q His name is found upon the 1880 roll and marked "colored" do you know whether that is correct or not? A I think it is; he has got some brothers that never claimed Cherokee.
Q Do you know Gabe Roger's mother? A I knowed her just when the War broke out.
Q Was she part colored? A Yes, sir.
Q Do you know whether she was part Cherokee or not? A I think she was part Creek.
Q Did you know his father? A I guess I did--Bill Rogers.
Q He was Cherokee? A Yes, sir.
Q Has Gabe any brothers? A He had three besides himself.
Q Name some of them? A Cephus and Moseph.
Q Joseph Rogers had a wife by the name of Maggie and family? A Yes, sir.

1880 Roll; page 802, #1948, Joseph Rogers, Freedmen Roll, Tahlequah district.

Q You know this Gabe Rogers to be the full brother of Joseph Rogers? A Yes, sir, Gabe, and then there is another one, I think they call him Dick.

BY COMMISSIONER NEEDLES:

Q Was his mother a slave before the Civil War? A I do not know. I just knew her at the commencing of the War, she was living with a black man, Sam Wofford.

MR. W. W. HASTINGS, Cherokee Representative:

Q That's this fellow's step-father? A Yes, sir.

[illegible], being sworn and examined by Commissioner Needles, [illegible]:

[illegible] Money E. Barnes.
[illegible] A Tahlequah, 56 years old.
[illegible] district.

[illegible], Cherokee [illegible]

I know.
Q Do you know whether they were brothers? A They were called brothers.
Q Joe Rogers lives in this district? A Yes, sir.
Q He is a colored man? A Yes, sir.
Q So recognized in the country? A Yes, sir.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J O Rosson

Subscribed and sworn to before me this 10th day of January, 1901.

Commissioner

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 10 1901

Muskogee, Indian Territory, January 9, 1901.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

I have the honor to transmit herewith a petition signed by 32 citizens of the Creek Nation, praying that a certain road, as described in said petition, be established.

Recorded and referred to the Commissioner to the Five Civilized Tribes, for such action as may be deemed proper.

J. G. Wilson,
Secretary.

---oooOooo---

Muskogee, Indian Territory, January 9, 1901.

Hon. Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

We, the undersigned citizens of the Creek Nation, respectfully petition that a road be established from Okmulgee to Eufaula, via Dustin's Ford, on the Canadian River, and that the following persons be appointed viewers to locate said road:

Jesse Dustin, Jim Fife, Jim Hill.

We are willing to contribute labor on said road.

Respectfully,

[illegible]

Gabe Rogers--2.

Q You never lived anywhere else? A No, sir.
Q Do you clai m that your mother had some Cherokee blood in her? A I am not able to say. She come with my father to this country he was an old settler in this country.
Q Where from Georgia or North Carolina? A Georgia, at his death he had lots of slaves. We was free up to that date.
Q Your mother was not a slave? A No, sir.

BY W. W. HASTINGS;

Q You admitted that she must to have been part colored? A Yes, sir, she must to have been.

BY COM'R BRECKINRIDGE:

Q Do you know anything a bout her mother? A No, sir, she ain't got a connection in the Cherokee Nation outside of her family.

1896 Roll; page 1231, #448, Gabe Rogers, Freedmen Roll, Tahlequah.

Com'r Breckinridge:--It appears from the testimony just taken and from the supplemental testimony taken on December 19th, 1900, in this case that the applicant was improperly classed, as set forth on Card #6875; he being identified on the roll of 1880 as a Cherokee Freedman and also being now identified on the roll of 1896 in the same category, and the supplemental testimony strongly confirming this testimony of the rolls; therefore, it is ordered that Card #6875 be cancelled and a new card issued in lieu thereof, which will be a doubtful card, for the further consideration of the classification of the applic nt; that is, whether he shall be classed as a Freedman or Cherokee by blood. There being no question as to his citizenship and attention will be called upon the doubtful card to the supplemental testimony of December 19th, 1900 and of that taken this day.

---oooOOOooo---

I, J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 17th day of January, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 19 1901

SUPPLEMENTAL TESTIMONY.

D #1039.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 15th, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the application of Gabe Rogers for enrollment as a citizen of the Cherokee Nation; said Gabe Rogers being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give your full name there, please? A Gabe Rogers.
Q Give me your ~~full~~ age? A I was about eight or ten years old when the War begin.
Q What is your post office? A Melvin.
Q In what district do you live? A Tahlequah.

INTERROGATORIES BY W. W. HASTINGS, Cherokee Representative:

Q What was your mother's name? A Her name was Louisa, the wild Indians killed her in time of the War.
Q What was your father's name? A Will Rogers.
Q Mr. Rogers, was your mother part colored? A She may have been from her looks I guess she was.
Q What relation, if any, are you to Joseph Rogers? A They claimed us to be brothers.
Q You have recognized it; you have always recognized him as your brother? A Some how or another we got separated in the drawing; they kept him on one side and me on the other. I never got to draw any money at all.
Q You have recognized Joe Rogers as your brother? A Yes, sir.
Q You had another brother by the name of Cephus Rogers? A Yes, sir.
Q He is your full brother? A I could not testify.
Q You recognized him as such? A Yes, sir.
Q Joe Rogers is on the colored roll? A Yes, sir.
Q Cephus Rogers is also on the colored roll? A He says they have got him on the doubtful roll.
Q Joe Rogers has always been recognized as a colored citizen? A Yes, sir, I guess he is.
Q Cephus Rogers has also been recognized as a colored citizen, is that a fact? A It must be, that is what they had him.
Q Do you remember your mother? A I remember her some, yes, sir.
Q About how old were you when she was killed? A That was just about the time the War come up, when the War begin.
Q You were about eight or ten years of age? A Yes, sir, I was with my Aunt; when Will Rogers did we drawed part of his estate as well as the balance of them, and after he died that left us alone and nobody to see after us.
Q Let me ask you, Mr. Rogers, whether or not your mother was a slave before the War? A No, sir, she was not a slave.
Q Did you and Joe and Cephus have the same mother? A They claim that he and Joe and Cephus had the same mother and father.

COMMISSIONER BRECKINRIDGE:

Q Where were you in 1896, four years ago? A I was at home, up on Spunk river.
Q Why are you not on the roll of 1896? A I did not go down there.

[illegible] your Tribe have you [illegible]

2

C. R-1039

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March[illegible], 1902.

SUPPLEMENTAL PROCEEDINGS, in the matter of the application of Gabe Rogers for the enrollment of himself as a Cherokee citizen.

Appearances:
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter on the 27th day of February, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 15th day of March, 1902.

On this the 15th day of March, 1902, the applicant having been called and failing to respond, either in person or by attorney, the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

I, M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

Cherokee D 1039.

E. J. H.
6R

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Gabe Rogers for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 17, 1900, Gabe Rogers appeared before the Commission at Tahlequah, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory on December 19, 1900 and at Muskogee, Indian Territory on January 15, 1901 and March 18, 1902.

The evidence in this case shows that the applicant is a Cherokee by blood; that he is identified on the 1880 authenticated tribal roll of the Cherokee Nation as an "adopted colored." He is also identified on the 1896 Freedmen Roll, Tahlequah District, but was evidently placed on said roll by mistake, instead of the 1896 census roll, where he rightfully belongs.

Applicant has resided in the Cherokee Nation all of his life.

It is, therefore, the opinion of this Commission that Gabe Rogers should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section Twenty-One of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this AUG 11 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREVOORT.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902

Mr. Gabe Rogers,

Melvin, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 18 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Chero Inch-1089
Register.

Yours truly,

[redacted]

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D1039

FILED
SEP 28 1902

COPY.

Muskogee, Indian Territory, August 13, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, rendered August 12, 1902, granting the application of Cabe Rogers for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against its decision. If you fail to file a protest within the time allowed, this decision will be considered final.

Very respectfully,

Tams Bixby.

Acting Chairman.

Enc. C. No. 17.

Cherokee Nation,

CTE

Tahlequah, Indian Territory, August 20, 1902.

Cave Rogers,

Melvin, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, dated August 11, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. 0, No. 53,
Register.

Cherokee
9067

Muskogee, Indian Territory, March 14, 1907

Charles H. Calloway,
117 West Sixth Street,
Kansas City, Missouri.

Dear Sir:

Receipt is acknowledged of your letter of February 27, 1907, in further reference to the citizenship in the Cherokee Nation of Gabe Rogers. You ask to be advised "what steps to take in proving up his claim."

In reply you are advised that Gabe Rogers has been finally enrolled as a citizen by blood of the Cherokee Nation, his name appearing opposite Number 21941, on a partial roll of citizens by blood of said Nation approved by the Secretary of the Interior. No further action is necessary in this matter. Said Gabe Rogers is entitled to an allotment of the lands of the Cherokee Nation, and may appear before the Cherokee Land Office at Muskogee, Indian Territory, at any time, and make application for the selection of the same.

Respectfully,

Cher '765

Sallie T. Garland

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., January 26, 1901.

In the matter of the application of Joseph R. Sequichie for the enrollment of Sallie T. Garland as a Cherokee citizen; he being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Joseph R. Sequichie.
Q What is your age? A 29.
Q What is your postoffice? A Chelsea, I.T.
Q For whom do you apply for enrollment? A Sallie T. Garland.
Q What is her age? A 51.
Q What is her postoffice? A Chelsea.
Q What district do,you live in? A Cooweescoowee.
Q What is the reason she is not here in person? A She has no one to look after her affairs, but her brother and herself.
Q She is non competent? A She is not able to look after her own affairs. They claim for that reason there was not a right kind of a record gotten in her admission for 1887.
Q What was her maiden name? A Dawes.
Applicant presents a marriage license and certificate of marriage certifying that Mr. C. L. Garland was married to Mrs. Sallie Garland nee Dawes on the 16th day of August, 1897; said license being issued by the authorities of the Cherkee Nation.
Applicant also presents a certified copy of the record of the Commission on Citizenship dated Tahlequah, January 29, 1887, which is filed herewith.
Q Is her husband living? A No sir.
Q She's a widow now? A Yes sir.
Q Has she any children? A No sir.
Q How long has she lived in the Cherokee Nation? A She has lived here since 1887. She was here a year or two before she was admitted in 1887.
Q She has been living continuously in the Cherokee Nation since she was admitted? A Yes sir.
1896 roll; page 170, #2057, Sallie Garland, Cooweescoowee district.
1894 roll; page 197, #1771, Sallie Garlin, Cooweescoowee district.

Commissioner Needles-

The name of Sallie T. Garland is found upon the Census roll of 1896 and also upon the pay roll of 1894. Her name is not found upon the authenticated roll of 1880. Proof of citizenship is presented, and satisfactory proof as to her residence. By reason of the fact that proof of citizenship is not clear and satisfactory, final judgment as to the enrollment of Sallie T. Garland will be suspended and her name will be placed upon a doubtful card; said certificate of admission will be filed with the papers.

E.C.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 28th day of January, 1901.

Commissioner.

19166

a

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 31 1901

ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION

2106

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 26 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath

COOWEESCOOWEE.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 26 1901 1900.

51 Name Dallie T. Garland Chelsea I.T.

District COOWEESCOOWEE. Year 1896 Page 170 No. 2057

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

On 1896 roll as Dallie Garland

Further evidence of admission required

MARRIAGE LICENSE.

CHEROKEE NATION, Going Snake DISTRICT.

To any person legally authorized, greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. C. F. Garland, a citizen of the United States, and Mrs. Nellie Garland (nee) Dawes a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such Marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and seal of office, this the 16th day of August 1897

Joe. M. Sahay

CLERK Going Snake DISTRICT.

Marriage Ceremony performed by me uniting the within named parties this Aug. 16th A. D. 1897.

Joel M. Lahay, Clerk
Coowescoowee District
By R. Lee Comer Dept Clk

768

"E"

Marriages

Joel M. Lahay
CROWEESCOOWEE DISTRICT.
By R. Lee Comer
Dept Clk

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 26 1901
ACTING CHAIRMAN

Sally Carlin.

Office Commission on Citizenship.
Tahlequah, C.N. January 29, 1887

Docket	Family	Age	Sex
23	1. Sally Carlin	38	Female, Careys Ferry C.N.

Applicant for
Cherokee Citizenship,
Rolls 1851 And, 52
Ancester,
Nicy Welch.

Vs.

Cherokee Nation

The above case decided by the former Court,

Decision rendered April 18th 1887. Claimed by the book of admittance, but no decision can be found. The applicant was admitted.

D.S. Williams,
Clerk Com. on citz.

This April 23rd 1889.

Executive Office Cherokee Nation,
Tahlequah I.T.

I, B.W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of the citizenship Commission of the Cherokee Nation now filed in this Office and in my custody. Given under my hand and the seal of the Cherokee Nation this the 20th day of October 1900.

B. W. Alberty
Assistant Executive Secretary
Cherokee Nation.

Booker Family

vs

Isally Carlile, Celia Perry C.N.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 26 1901

ACTING CHAIRMAN

Office Commissioner on Citizenship.
Tahlequah, C.N. January 28, 1899.

Carlile.

Applicant for
Cherokee Citizenship.
Roll 1851 Ard 85
Answer.
Miss Welch.

Va.

Cherokee Nation

The above cause coming on to be heard by the Commissioner on the 21st day of April 1899. Claimed by the Court, Decision reserved but no decision can be found. The applicant was admitted.

D.C. Millsaps.

Clerk Com'n office.

This April 23rd 1899.

SUPPLEMENTAL TESTIMONY.

Chor. D.--1066.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHELSEA, I.T., JUNE 10th, 1901.

Supplemental Testimony in the matter of the enrollment of Sallie T. Garland as a citizen by blood of the Cherokee Nation.

Said Sallie T. Garland being sworn and examined by Commissioner T. B. Needles, testified as follows:-

Q What is your name? A Sallie T. Garland.
Q How old are you? A I will be 51 years old on the 18 day of next September.
Q What is your post office? A Chelsea.
Q What District do you live in? A Cooweescoowee.
Q Mr. Joseph Sequechie applied to have you enrolled at Muskogee on the 20th of January, 1901, stating that you were non-competent and not able to look after your own affairs; was that a mistake?
A Yes, sir, that was a mistake it was my sister.
Q What is your sister's name? A Martha Ann Dawes.
Q You now apply in person to have that mistake rectified?
A Yes, sir.
Q That is all the mistake you know of? A Yes, sir.

BY MR. W. W. HASTINGS, Cherokee Representative:

Q Your post office is Chelsea? A. Yes, sir.
Q Why didn't you apply here when the Commission was here last fall?
A We was down with the Small pox and just able to creep and I was too high-minded to give it to people; I would have lost my right before I would trace around and give it to people.

---oooOOOooo---

J. O. Mosson, being first duly sworn, states that he is stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Mosson

Subscribed and sworn to before me this 18th day of June, 1901.

T. B. Needles

Commissioner.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Okl. Ter. 1901.

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Sallie E. Garland for enrollment as Freedmen of the Cherokee Nation.

H. Tiquichi

No. C 1066

F

ND1066

COMMISSION

OCT 25 1901

CHAIRMAN

Cherokee D 1006 Sally Garlin

Office Commission on Citizenship.
Tahlequah, C.N. January 29, 1887.

Docket	Family		Age	
23	1	Sally Garlin	38	Near Careys Ferry C.N.

Applicant for Cherokee Citizenship
Rolls 1851 and 52
Ancestor,
Nicy Welch.

vs.
Cherokee Nation.

The above case decided by the former Court,

Decision rendered April 18th 1887, Claimed by the book of admittance but no decision can be found. The applicant was admitted.

D. S. Williams

Clerk Com on Citz.

This April 23rd 1889.

Executive Office Cherokee Nation.
Tahlequah, I. T.

I, B. W. Alberty, Assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of the citizenship Commission of the Cherokee Nation now filed in this office and in my custody.

(S E A L) Given under my hand and the seal of the Cherokee Nation this the 20th day of October 1900.

B. W. Alberty
Assistant Executive Secretary
Cherokee Nation.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the certified copy on file in this office.

Ella Mickey

R

C. D-1068

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 15, 1902.

SUPPLEMENTAL PROCEEDINGS, in the matter of the application of Sallie T. Garland for enrollment as a Cherokee citizen.

Appearances:
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter on the 27th day f February,1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the 15th day of March,,1902, and that on said date she might appear in person or by attorney when an opportunity would be given her to introduce any additional testimony affecting her application. Receipt has been acknowledged of the Commission's letter, and on this the 15th day of March,1902, applicant being called and failing to respond either in person or by attorney this case is deemed completed and same will be reported to the Commission for final decision based upn the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

D1066

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAR 31 1902

Cherokee D 1066

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sallie T. Garland as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on January 26, 1901, Joseph R. Sequichie appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of Sallie T. Garland as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Chelsea, Indian Territory, June 10, 1901.

The evidence shows that the said Sallie T. Garland was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, on April 18, 1887. The said Sallie T. Garland is identified on the Cherokee Census roll of 1896 and on the Cherokee Strip Payment roll of 1894.

The evidence further shows that the said Sallie T. Garland has lived in the Cherokee Nation ever since 1887.

It is, therefore, the opinion of this Commission that Sallie T. Garland should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

[signature] Acting Chairman.

[signature] Commissioner.

[signature] Commissioner.

Dated at Muskogee, Indian Territory,
this AUG 18 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902

Mr. Joseph R. Sequichie,

Chelsea, Indian Territory.

Sir:-

You are hereby notified that the application of Sallie T. Garland

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 15 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

D1066

FILED
FEB 28 1902

Cherokee D 1066.

COPY.

Muskogee, Indian Territory, August 18, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, rendered August 18, 1902, granting the application of Sallie T. Garland for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Very respectfully,

Tams Bixby.

Acting Chairman.

Enc. C. No. 6.

Chgrmnce 3-1-[illegible]

COPY

Muskogee, Indian Territory, September 2, 1902.

Sallie T. Garland,

Chelsea, Indian Territory.

Madam:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, dated August 18, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 16.

Register.

Cherokee 1 Enrd.

COPY

Muskogee, Indian Territory, September 1, 1908.

J. R. Sequichie,
Agent for Sallie T. Garland,
Chelsea, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, dated August 18, 1908, granting the application of Sallie T. Garland for the enrollment of herself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. C. No. 17.
Register.

Cher 9764

Homer James

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., JANUARY 29th, 1901.

IN THE MATTER OF THE APPLICATION OF NATHAN M. PERRY FOR THE ENROLLMENT OF HOMER JAMES AS A CITIZEN OF THE CHEROKEE NATION, AND SAID PERRY, BEING SWORN AND EXAMINED BY COMMISSIONER, T. B. NEEDLES, TESTIFIED AS FOLLOWS:

Q What is your name? A Nathan M. Perry.
Q How old is Homer James? A Thirty seven.
Q What is his P^stoffice address? A Miami.
Q What district^does he live in? A Delaware.
Q Is Homer James a recognized citizen of the Cherokee Nation?
A Yes sir.
Q By blood? A Yes sir.
Q Why is he not here himself? A He is an incompetent.
Q He is not able to attend to his business on account of being non compus? A Yes sir.
Q What is his father'sname? A William C. James.
Q Is he living ? A Yes sir.
Q What is his mother's name? A Almeda James.
Q Is she living? A No sir.

(1896 Roll, Page 1299, #9, Homer James, Asylum Roll, Tahlequah District - 21 years of age - native Cherokee -)
(1894 Roll, Page 411, #1470, Homer James, Delaware D'st)

Com'r. T. B. Needles: The name of Homer James is found upon the census roll of 1896 and upon the pay roll of 1894: It is averred that he is the child of William C. ~~and Almeda James~~ James, a non citizen, by Almeda James, a Cherokee citizen by blood: His name can not be found upon the authenticated roll of 1880; neither the name of his father or mother: Consequently, final judgment as to the enrollment of said Homer James as a citizen of the Cherokee Nation by blood will be suspended and his name will be placed on a doubtful card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 29th day of January, 1901.

COMMISSIONER.

9

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 29 1901

ACTING CHAIRMAN

D 1072

B

CHEROKEE BY BLOOD AND ADOPTION

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 29 1901

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 29 1901 1900.

Name Homer James Miami I.T.

District Insane Roll TAHLEQUAH. Year ~~1880~~ 1896 Page 1299 No. 9

Citizen by blood Yes Mother's citizenship Parents William O James 2

Intermarried citizen Almeda " 0

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Doubtful

Application made by Nathan M. Perry, Grove I.T.

Evidence of citizenship to be supplied

Cherokee D-1073.

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I.T., October 24, 1901.

In the matter of the application of Homer James for enrollment as a Cherokee citizen.

Supplemental testimony on behalf of the applicant.

Appearances:
Nathan M. Perry, representing the applicant;
J. L. Baugh, Cherokee Representative.

Lee B. Smith, being duly sworn by Commissioner Needles, testified as follows:

Q What is your name? A Lee B. Smith.
Q What is your age? A 57 years old.
Q What is your postoffice? A Southwest City, Mo.
Q You a resident of the Cherokee Nation? A Yes, sir.
Q Are you a citizen by blood? A By marriage.
Q You know Homer James? A Yes, sir.
Q Is he an incompetent? A Yes, sir.
Q He hasn't a mind sufficient to attend to his own business?
A No, sir.
Q How long have you known him? A Ever since birth.
Q What was his father's name? A William James.
Q Was he a Cherokee? A No, sir.
Q What was his mother's name? A Hannah A. James.
Q Was she a Cherokee? A Yes, sir.
Q By blood? A Yes, sir.
Q What degree of blood? A About 1/8.
Q Is she living? A She isn't living now.
Q How long has she been dead? A Been dead about 17 years, I think about that time.
Q Was Homer James born in the Cherokee Nation? A Yes, sir.
Q Always lived in the Cherokee Nation? A Always lived in the Cherokee Nation.
Q He would be about 1/16 blood then? A Yes, sir.
Q Well, do you know why his name isn't on the roll of 1880?
A No, sir, I can't account for it, he was there at the time the census was taken, I think they lived on my place.
Q His mother ever go by any other name besides Malinda James?
A No, sir, that was the name by which they called her but her first name was Hannah.
Q What district was she in? A Delaware.
Q Do you know her name before she married James? A Perry.
Mr. Baugh: By what right did Homer James claim to have citizenship?
A By right of blood and by his mother having been admitted to citizenship.
Q When was she admitted to citizenship? A In 1870, I think it was in 1870, when Judge Daniels was Chief Justice of the Supreme Court.
Q Do you know where they were living in 1880, the father and mother of this James? A Of this boy, they were living in Delaware District.
Q How long did they continue to live there? A In Delaware district, she lived there until her death.
Q Did they have any other children besides this one? A None living.
Q Is she any relation of yours? A She is a sister of my wife.
Q Was your wife admitted at the time she was? A Yes, sir.
Q Your wife appears on the roll of 1880? A Yes, sir.
Q Under what name? A Florence S. Smith.
Q What relation is Homer James' mother to Mr. Perry here? A Sister, full sister.
Q How long did they live from you in 1880? A My recollection is they lived on my place, on a place that I had at that time.
Q And do you know of any reason why their name does not appear upon the roll of 1880? A No, sir, I don't.

-9-

NATHAN M. PERRY, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Nathan M. Perry.

Q What relation are you to the mother of Homer James? A She was a sister of mine.

Q Is your name on the roll of 1880? A I think so, I was admitted as such; yes, sir, I think so.

Q Have you been listed for enrollment by the Commission? A Yes, sir, in January I think I was before the Commission.

Q Well, your sister's name then in 1880 was James? A Yes, sir.

Commissioner: This testimony will be filed with the original papers in the case, and the testimony will be considered when the case is decided.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 28th of October, 1901.

Commissioner.

NATHAN [illegible] PERRY, being duly sworn and examined by Commissioner Needles, testifies as follows:

Q What is your name? A Nathan [illegible] Perry.

Q What relation are you to the mother of Homer James? A She was a sister to mine.

Q Is your name on the roll of 1880? A I think so, I was admitted as such. Yes, sir, I think so.

Q Have you been listed for enrollment by the commission? A Yes, sir. In January I think I was before the commission.

Q Well, your sister's name then in 1880 was James? A Yes, sir.

Commissioner: This testimony will be filed with the original papers in the case, and the testimony will be considered when the case is decided.

Bruce D. Jones, being duly sworn, says that he is stenographer to the commission to the Five Civilized Tribes; he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Sworn to and subscribed before me this the 28th of October, 1901.

Commissioner.

An act to readmit to Citizenship the persons therein named.

Be it enacted by the National Council: That the following named persons be admitted to the enjoyment of the rights and priveleges to Citizenship in the Cherokee Nation, To-wit:

##

(here follows a list of names among them is to be found the

following name or names, To-wit:

Susan Jane Perry, Children & Husband, ##########

Provided that no rights or priveleges conferred by this act shall accrue to any of the individuals before named untill they shall have settled within the limits of this Nation and become bona-Fide residents thereof.

Tahlequah C.N. Dec. 12, 1870.

J.L.Adair,
Clerk, Senate pro tem.

Eli Smith,
President Senate Pro tem.

Concurred in with the following amendment; vis:
This act shall not goin into effect so far as relates to whitemen whitemen until they shall have complied with the laws of this Nation governing intermarriage of whitemen with Cherokee Women.

Steven Foreman,
Clerk Council,
Decm. 16, 1870

Jumper Mills,
Speaker of Council.

The amendment concurred in,

J.L.Adair,
Clk Senate Pro-tem

Arch Scraper,
President of Senate

Approved, Lewis Downing,
Principal Chief.

Executive Office Cherokee Nation,

Tahlequah I.T.

I, B.W.Alberty, Assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy, except as to other names that are left off of this copy, taken from the record of Laws of year 1870& 1871 filed in this Office and in my custody.

Given under my hand and the seal of the Cherokee Nation on this the 22, day of November 1901.

B.W.Alberty

Assistant Executive secretary;
Cherokee Nation.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., November 22, 1901.

In the matter of the application of Homer James for enrollment as a Cherokee citizen.

Supplemental testimony on behalf of applicant;

Appearances:
Applicant not present;
Cherokee representatives present.

LEE B. SMITH, appearing before the Commission and being duly sworn, testified as follows:

Q What is your name? A Lee B. Smith.
Q How old are you? A I am 57.
Q What is your postoffice address? A Southwest City, Mo.
Q You desire to make a statement in regard to the application of Homer James, who is an applicant for enrollment before the Commission as a citizen of the Cherokee Nation? A Yes sir.
Q State it briefly please. A On examining the records here I failed to find his mother's name, she was admitted to citizenship here in 1870, but I find Her mother's name on the record as that copy will show there (indicating paper), with her children; Susan Jane Perry and her children, admitted to citizenship in 1870, in December some date, I forget the date there now.
Q Who is the mother of this Homer James? A Hannah A. James, she was formerly Hannah A. Perry.
Q Was she married when her mother was admitted to citizenship?
A No, sir, she was single.
Q Was she single in December, 1870, when her mother was admitted to citizenship? A Yes, she was single then.
Q When was she married to the father of Homer James? A Let me see, I suppose it was in '72 or '3, I would not be right positive, I mean '72 or '75; it was either '72 or '75 if I am not mistaken.
Q How long have you known the applicant's mother? A I have known her for all my life, ever since I can first remember.
Q Is she a relative of yours? A She is a sister of my wife.
Q Well now was your wife admitted to citizenship at the same time that this Susan Jane Perry was? A Yes, about the same date.
Q Was she admitted on a separate application or in this application? A Under a separate application.
Q Was she married to you at that time? A She was married to me at that time.
Q Is she older than the applicant's mother? A She is younger.
Q About how old would ~~xxxxxxxxx~~ Hannah James be if she was living to-day? A She would be past fifty, I don't know just how old, but she would be past fifty.
Q Then she had really reached her majority when her mother was admitted? A Yes, she was of age when her mother was admitted.
Q But she wasn't married? A She wasn't married.
Q Is your wife's name on the roll of 1880? A Yes, sir.
Q Have you any idea why the name of Homer James' mother isn't on that roll? A No, sir, I can't tell you, I know her and her husband lived on my farm at the time, and they lived back in the interior part of the farm and probably the census taker didn't find them, I can't account for it any other way.
Q What was her name in 1880? A James, Hannah James.
The 1880 authenticated roll of Cherokee citizens examined, and the name of Hannah James not found thereon.
Q Any other statement you desire to make? A I believe not.

Commission: There is offered in evidence a certified copy of an act of the Cherokee National Council admitting Susan Jane Perry, her husband and children, to citizenship in the Cherokee Nation, on the 18th day of December, 1870. The same is hereby received in evidence and made a part of the record herewith.

Commission: This testimony will be filed and made a part of the record in the case of Homer James, Cherokee Card No. D-1072.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 23rd of November, 1901.

M. D. Green
Notary Public.

Notary Public.

Sworn to and subscribed before me this 3rd day of June, 1901.

Cherokee D 1072

An Act to readmit to Citizenship the persons therein named.
Be it enacted by the National Council: That the following named persons be admitted to the enjoyment of the rights and privileges to Citizenship in the Cherokee Nation, To-Wit:

(here follows a list of names among them is to be found the following name or names, to-wit:

Susan Jane Perry, Children and husband.

Provided that no rights or privileges conferred by this act shall accrue to any of the individuals before named until they shall have settled within the limits of this Nation and become bona fide residents thereof.

Tahlequah, C. N. Dec. 12, 1870.
Eli Smith,
President Senate Pro tem.

J. L. Adair
Clerk, Senate pro tem.

Concurred in with the following amendment; vis:
This act shall not go into effect so far as relates to white men until they shall have complied with the laws of this Nation governing intermarriage of white men with Cherokee women.
Steven Foreman, Jumper Mills,
Clerk Council. Speaker of Council.
Dec. 16, 1870
The amendment concurred in.
J. L. Adair Arch Scraper,
Clk Senate pro tem. President Senate
Approved, Lewis Downing.
Principal Chief.

Executive Office Cherokee Nation,
Tahlequah, I. T.

I, B. W. Alberty, assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy, except as to other names that are left off, of this copy, taken from the record of laws of year 1870 and 1871 filed in this Office and in my custody.
(S E A L) Given under my hand and the seal of the Cherokee Nation this the 22 day of November 1901.

B. W. Alberty
Assistant Executive Secretary
Cherokee Nation.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, certify that the above is a full and correct copy of the certified copy on file in this office.

Ella Wesley

R

C. D-1072

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 15,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Homer James for enrollment as a Cherokee citizen.

Appearances:
William C. James, applicant's father;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: This case was set for final hearing by the Commission at its offices in Muskogee, Indian Territory, on the 15th day of March,1902. Applicant Homer James this day, to-wit: the 15th day of March,1902, appears by his father, William C. James.

WILLIAM C. JAMES, being first duly sworn and being examined testified as follows:
BY COMMISSION:
Q What is your name? A W. C. James.
Q What is your post-office address? A Fairland.
Q Are you the father of the applicant, Homer James? A Well I claim him, I have no right to dispute it.
Q Well I wasn't asking you that at all? A Well, yes.
Q Where is this boy living? A Eight miles south of Fairland.
Q Why does not he appear? A I don't think it was advisable to bring him out; he has fits, that is the reason he was not before you before.
Q He is incompetent? A Yes sir.
Q What is this boy's ~~mmmmmmmmmm~~ mother's name? A Almeda.
Q How long has she been dead?A Died in March,1882.
Q Where were you living when the roll of 1880 was made? A I was living on Cowskin Prairie.
Q In the Cherokee Nation? A Yes sir.
Q How does it happen that this boy nor your wife don't appear on the roll? A That is the trouble, there is the three Berry boys that was living here in 1880 and I can find their names and I could not find my wife's; thecensus takers come to my house.
Q Had the citizenship of your wife ever been disputed for any reason? A Never had that I have any knowledge of.
Q Was your wife admitted to citizenship with her mother in '70? A Not that I know of.
Q When were you married to your wife? A October, 1873.
Q How long had you known her prior to your marriage? A Oh some 8 years, two and a half I reckon.
Q You didn't know her when her mother Susan Jane Berry applied to the Commission? A Yes sir, Susan Jane Berry applied in '72.
Q The record says '70? A Please your Honor, they wasn't out here, I don't want to dispute anybody else's word.
Q I don't either; except I see the record shows it was '70? A Well it is just a mistake; let her go though; it was the fall of '72, they made application for citizenship at Tahlequah.
Q To what court did they apply, or what Commission on citizenship? A They applied to the Council as well as I recollect.
Q When did your wife and her people come to the Cherokee Nation? A My wife and L.B.Smith and his family and Silba Perry, came in '68, I believe it was, and then Susan Jane Perry and the rest of the family came, if I understand it right, in '72.
Q Did you know them when they came here? A I got acquainted with them directly after they came here, with Susan Jane and her family, and I was acquainted with Almeda some two years two and a half years before they came out.
Q Did your wife make her home continuously in the Cherokee Nation from the time she came here until her death? A She was out of the Nation about a year.

Q When was that? A It was I guess about '71, here at Baxter Springs
Q That was as you state prior to her admittion to citizenship?
A Yes sir.
Q Since her admission to citizenship has she ever made her home outside of the Cherokee Nation? A No sir.
Q She lived here continuously up until the time of her death?
A Yes sir.
Q Did she always draw money as a Cherokee by blood? A Always.
Q Has this boy Homer James always drawn money? A He has always drawn, first payment was '75, next '80 and he has drawed right along ever since.
Q He has always lived in the Cherokee nation? A Yes sir, he has never been out , I don't suppose, above a dozen nights in his life.

BY MR. HASTINGS:

Q How old is this boy's mother? A She would be 60 years old, I reckon, this month if I aint mistaken.

BY COMMISSION:

Q Any further statement you desire to make relative to the application of your son? A No sir.
Q Do you submit the case to the Commission for final decision?
A I do, sir.

BY MR. HASTINGS:

Q Was your wife ever married, before she married you? A No sir.

BY COMMISSION: The applicant's father, William C. James, and the Representative of the Cherokee Nation present submit the case, same is now deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

I, M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

Cherokee D 1072

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Homer James as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on January 29, 1901, Nathan M. Perry appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of Homer James as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Vinita, Indian Territory, October 24, 1901, at Tahlequah, Indian Territory, November 22, 1901, and at Muskogee, Indian Territory, on March 15, 1902.

The evidence shows that the said Homer James is the son of William C. James, a white man, and Hannah A. James, a Cherokee by blood, who was admitted to citizenship in the Cherokee Nation with her mother, Susan Jane Perry, and others, by the duly constituted authorities of said Nation, on December 16, 1870. Neither the name of Hannah A. James nor that of her son, Homer James, can be found on the Cherokee authenticated tribal roll of 1880, although they were residents of the Cherokee Nation at the time that roll was made. The brothers of Hannah A. James are found to be enrolled on that roll. The said Homer James is identified on the Cherokee census roll of 1896 and on the Cherokee Strip Payment roll of 1894.

The evidence further shows that the said Homer James was born in the Cherokee Nation and has lived there all his life.

It is, therefore, the opinion of this Commission that Homer James should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this AUG 11 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BROCKUNIER.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902

Mr. Nathan M. Perry,

Miami, Indian Territory,

Siri-

You are hereby notified that the application of Homer James

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 18 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Youre truly,

Cherokee D-1072
Register.

Commissioner in Charge.

D1072

FILED
FEB 28 1902

Cherokee D 1072.

COPY.

Muskogee, Indian Territory, August 13, 1908.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, rendered August 11, 1908, granting the application of Homer James for enrollment as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against its decision. If you fail to file a protest within the time allowed, this decision will be considered final.

Very respectfully,

Tams Bixby,

Acting Chairman.

Enc. C. No. 28.

Muskogee, Indian Territory, August 26, 1908.

Nathan M. Perry,

Miami, Indian Territory.

Sir:

There is herewith transmitted a copy of the decision of the Commission to the Five Civilized Tribes, dated August 11, 1908, granting your application for the enrollment of Homer James as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enc. C/ No. 45.

Register.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

REGISTERED SEP 3 1902 MUSKOGEE, IND. TER.

1817

Nathan M. Perry,
Miami,
Indian Territory.

Chas. H. D.

District Court

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 13th, 1900.

IN THE MATTER OF THE APPLICATION OF Daniel Crail for the enrollment of himself, wife, children and one step child as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q What is your full name? A Daniel Crail.
Q Have you any middle name? A No sir.
Q How old are you? A Forty one.
Q What is your Postoffice? A Wagoner.
Q In what district do you live? A Tahlequah.
Q Do you want to enroll yourself and family? A Yes sir.
Q Have you a wife? A Yes sir.
Q How many children have you? A Four of my own and one step daughter.
Q A child of your wife's by a former husband? A Yes sir.
Q Are you a Cherokee by blood? A No sir.
Q You are a white man? A Yes sir.
Q Is your wife a Cherokee by blood? A Yes sir.
Q Let me see your marriage license and certificate?
(Applicant hands paper to Commissioner.
Q You seem to have applied to the Dawes Commission for admission?
A I got my lawyer to fix my papers up.
Q Did the Commission ever take any action on your application?
A Not that I know of.

Com'r. C. R. Breckinridge: The applicant exhibits a license issued by the Clerk of Tahlequah District, April 27th, 1891, authorizing marriage between himself and Mrs. Linnie J. Batsem: The certificate shows that they were married on the same day by Ridge Paschal, United States Commissioner.

Q This was an application you made to the Dawes Commission, simply for enrollment in 1897? A Yes sir.
Q You did not apply for admission to citizenship? A No sir, whether I could enroll or not.

Com'r. C. R. Breckinridge: This license just referred to is filed herewith.

Q Have you lived with this wife ever since you married her in 1891?
A Yes sir.
Q Were you ever married before you married this wife? A No sir.
Q She was married before? A Yes sir.
Q Your wife's full name at this time is Linnie J. Crail, is it?
A Yes sir.
Q How old is your wife? A I think she is thirty seven.
Q What was she before she was a Batsem? A Keys; Richard Keys was her daddy.
Q Has your wife lived in the Cherokee nation all her life?
A No sir, she was admitted here by the Council.
Q How long ago? A In 1887: She is from Alabama here.
Q Give me the name of her father? A Richard Keys.
Q Is he dead? A Yes sir.
Q Give me the name of her mother? A I aint right sure, but I think it is Mary A. Keys.
Q Is your wife's mother still living? A No sir, she is dead.
Q Have you any evidence of the marriage between your wife and her first husband, Batsem? A Yes sir, I have got their license here.
Q What is the "J" in your wife's name for? A Jane.
Q What was Batsem's full name? A George W. Batsem.

Com'r. C. R. Breckinridge: The applicant presents a license, issued by the Clerk of Sequoyah District, August 28th, 1886, authorizing marriage between G. W. Batsem and Miss Jane Keys: The certificate

shows that they were united in marriage three days thereafter by the Reverend E. J. Roberts. This is filed herewith.

Q Was Batson dead before you married your wife? A Yes sir; he got killed down there on Grand River.
Q She was never married but once before she married you? A No sir, just once.
Q Now let me see your certificate of admission to citizenship?
A I have not got it: I sent it to Washington.
Q Have you any acknowledgement of it? A No sir, I gave it to Mr / Rasmus and he sent it to Washington, and I have never got it back.
Q Give me the names of your children? First your step child?
A Beulah L. Batson.
Q How old is that child? A I think she is about twelve.
Q Then your eldest child is Dellie Crail? A Yes sir.
Q She has no middle name? A No sir.
Q That child is about nine years old now; is that right?
A Yes sir.
Q Your next child is John H. Crail? A Yes sir.
Q That child should be now; say seven years old? A Yes sir.
Q Your next child is a girl, Myrtle J.? A Yes sir.
Q She is now about four years old? A Yes sir.
Q These children are all living now, are they? A Yes sir.
Q What is the name of the next child? A Dora Belle.
Q She was born the 29th of last August, was she? A Yes sir.

(1896 Roll, Page 1278, #38, Daniel Crail, Tahlequah District)
(1896 Roll, Page 1152, #600, Lennie J. Crail, Tahlequah D'st)
(1896 Roll, Page 1152, #601, Della Crail, Tahlequah District)
(1896 Roll, Page 1152, #602, John H. Crail, Tahlequah D'st)
(1896 Roll, Page 1152, #603, Myrtle J. Crail, Tahlequah D'st)
(1896 Roll, Page 1140, #255, Beula Batson, Tahlequah D'st)

Q You say there was a certificate exhibited here showing the admission of your wife's mother, Mary A.?
A I do not know whether there was or not: She was a white woman: She never was here in this country.
Q Richard and the children were admitted? A Yes sir., I think his name was on record a good while ago.
Q Your wife's father and the children were readmitted and her mother was not? A Yes sir; I think so., but he was not admitted when the children was.
Q Was not admitted when the children were? A No sir.
Q Was he admitted before or afterwards? A He was admitted before; fifty years I reckon.
Q When did your wife come to the Cherokee Nation? A '67.
Q She came in 1867? A Yes sir.
Q Has she lived here ever since? A Yes sir.

Com'r. C. R. Breckinridge: The applicant applies for the enrollment of himself, his wife, four children and one step child, a child of his wife by a former husband: He states that his wife was admitted to citizenship by the Cherokee Commission on Citizenship in 1867, and that she has lived here ever since: She is identified on the roll of 1896: She was married once previous to her present marriage, to one, Batson, which is established by the license and certificate filed herewith, and her present marriage is also established by license and certificate filed herewith: When the applicant files an official copy of the record of his wifes admission to citizenship, she will be listed for enrollment as a Cherokee by blood: At present she will be placed upon a doubtful card, awaiting

that evidence.

The applicant is shown to have married his wife in 1891, which marriage is established by the license and certificate filed herewith. He is identified with her on the roll of 1896: They have lived together ever since their marriage; he was never previously married, and it is shown that she was free to contract a lawful marriage with him at the time of theor marriage, her first husband having been dead before she married her present husband. He will now be listed for enrollment as a Cherokee by intermarriahe on a doubtful card, to await the evidence required in the case of his wife.

The step child, Beulah L. Batson, a child of the applicant's wife by her former marriage, is identified on the roll of 1896; the child is now living; she is a minor, and will be listed for enrollment upon a doubtful card as a Cherokee by blood, to await the evidence called for in the case of her mother.

Of the four children of the present marriage, the three older, Dellie, John H. and Myrtle J. Crail are identified with their parents on the roll of 1896: They are living now, and will be listed for enrollment as Cherokees by blood upon a doubtful card, to await the evidence required in the case of their mother.

When a certificate of the birth of the youngest child, Dora Belle Crail, is filed with the Commission, this child also will be listed for enrollment as a Cherokee by blood upon a doubtful card with the other children.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before me this 17th day of December, 1900.

C A Mee

COMMISSIONER.

the above-named Peter Brown, having been duly sworn, on his oath deposes and says:

That he is a citizen of the United States, and resides at Cheyenne, Laramie County, Wyoming; that he is a carpenter by trade, and has been engaged in that business for the past twenty years; that he has been a resident of Cheyenne for the past twenty years; that he is acquainted with the reputation of Thomas Hall for truth and veracity in the community in which he lives, and that his reputation for truth and veracity is bad; that he is acquainted with the reputation of Thomas Hall for honesty and integrity in the community in which he lives, and that his reputation for honesty and integrity is bad; that he is acquainted with the reputation of Thomas Hall for peace and quietude in the community in which he lives, and that his reputation for peace and quietude is bad; that he is acquainted with the reputation of Thomas Hall for sobriety in the community in which he lives, and that his reputation for sobriety is bad; that he is acquainted with the reputation of Thomas Hall for chastity in the community in which he lives, and that his reputation for chast

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 13 1900 1900.

4 1 Name Daniel Crail Wagoner, I.T.

District TAHLEQUAH Year 1896 Page 1378 No. 52

Citizen by blood Mother's citizenship

Intermarried citizen yes

Married under what law Date of marriage

License Certificate

37 Wife's name Lennie J. Crail

District Year 1896 Page 1152 No. 600

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

3	Beulah L.	Batson	Dist. TAHLEQUAH.	Year 1896	Page 1140	No 255	Age 12
4	Dellie	Crail	Dist.	Year 1896	Page 1152	No 601	Age 9
5	John H.	"	Dist. TAHLEQUAH	Year 1896	Page 1152	No 602	Age 7
6	Myrtle J.	"	Dist. TAHLEQUAH.	Year 1896	Page 1152	No 603	Age 4
7	Dora B.	"	Dist.	Year	Page	No.	Age 4 mo
			Dist.	Year	Page	No.	Age
			Dist.	Year	Page	No.	Age
			Dist.	Year	Page	No.	Age
			Dist.	Year	Page	No.	Age
			Dist.	Year	Page	No.	Age

Dawson

No 2 on 1896 roll as Lennie J. Crail
" 4 " 1896 " " Della "
" 3 " 1896 " " Beula Batson
" 3. Step child of applicant

Certificate of admission to be supplied

No 7 - Affidavit of birth to be supplied

D 953

"A"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

ACTING CHAIRMAN.

0953

"C"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

Acting Chairman.

POOR ORIGINAL -
BEST AVAILABLE COPY

B. W. Albert

Marriage License.

CHEROKEE NATION, I. T.,)
Seyuayah DISTRICT.)

To Any Person Legally Authorized to Solemnize Marriage—Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony, and to celebrate the rites and ceremonies of Marriage, between Mr. G. W. Batson, *a citizen of the United States and Miss* Jane Keys, *a citizen of the Cherokee Nation, according to the usual custom and laws of the Cherokee Nation, and you are required to return this License to me, for record, within thirty days from the celebration of such Marriage with a Certificate of the same appended thereto and signed by you.*

Given under my hand and Seal of Office this the 25 *day of* August *A. D.* 1888.

Isaac Jacobs, Clerk

Clerk Seyuayah *District.*

CHEROKEE NATION, I. T.,)

Tahlequah DISTRICT)

I, E. J. Kelsey a Minister of the Gospel

hereby certify that on the 2nd day of August 188

I joined in Marriage Mr. J. M. Nelson a citizen

of the United States and Miss Jane Keys a citizen

of the Cherokee Nation, agreeable to the authority given in the within

License and the Customs and laws of the Cherokee Nation.

Given under my hand this the 2nd day of August

A. D. 188

E. J. Kelsey a Minister of the Gospel

[illegible] Cherokee Nation

[illegible] Tahlequah [illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC. 13 1900

Marriage License.

CHEROKEE NATION, I. T.,)
Tahlequah DISTRICT.)

To Any Person Legally Authorized to Solemnize Marriage—Greeting:

You are hereby authorized to join in the **Holy Bonds of Matrimony,** *and to celebrate the rites and ceremonies of* **Marriage,** *between Mr.* Daniel Trail *a citizen of the United States and Miss* Minnie J. Balson, *a citizen of the Cherokee Nation, according to the usual custom and laws of the Cherokee Nation, and you are required to return this* **License** *to me, for record, within thirty days from the celebration of such* **Marriage** *with a Certificate of the same appended thereto and signed by you.*

Given under my hand and Seal of Office this the 27 *day of* April *A. D.* 1887

John L Adair Jr.
Deputy *Clerk* Tahlequah *District.*

CHEROKEE NATION, I. T.,)
Tahlequah (DISTRICT.)

I, Ridge Porchal United States Commissioner for Indian Territory First Division hereby certify that on the 27th day of April 1891 I joined in Marriage Mr Daniel Crail a citizen of the United States, and Mrs Lennie J Pelson a citizen of the Cherokee Nation, agreeable to the authority given in the within License and the customs and laws of the Cherokee Nation.

Given under my hand this the 27 day of April A. D. 1891

Ridge Porchal
United States Commissioner For Indian Territory First Judicial Division

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

ACTING CHAIRMAN

74 p963 "F"

20

IN RE

Application for Enrollment of

INFANT CHILD

Dora Belle Crail

as a citizen of the

Cherokee Nation.

Approved, DEC 13 1900 190...

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 13 1900

ACTING CHAIRMAN.

Dawson D 953

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Dora Belle Crail, born on the 29th day of August, 1900.
(Here insert name of child)

Name of Father: Daniel Crail, a citizen of the Cherokee by adoption Nation.

Name of Mother: Linnie J. Crail, a citizen of the Cherokee by blood Nation.

Post-office, Wagoner I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Northern District. }

I, Linnie J. Crail, on oath state that I am 37 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Daniel Crail, who is a citizen, by adoption, of the Cherokee Nation; that a female (male or female) child was born to me on the 29th day of August 1900; that said child has been named Dora Belle Crail, and is now living.

Linnie J Crail

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 30th *day of* October *1900.*

Charles W Stafford
NOTARY PUBLIC.

My Com Expires
May 20th 1903

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Northern District. }

I, Sarah A. Vanmeter, Neighbor having no Physician present, on oath state that I attended on Mrs. Linnie J Crail, wife of Daniel Crail, on the 29th day of August, 1900; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Dora Belle Crail—

Sarah A Vanmeter

WITNESSED TO MARK.

(Must be Two Witnesses) }

Subscribed and sworn to before me this 25th *day of* October *1900.*

Charles W Stafford
NOTARY PUBLIC.

My Com Expires May 20th 1903

953

(14)

MARRIAGE LICENSE.

CHEROKEE NATION, Sequoyah, District.

To any Person Legally Authorized, Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. G. W. Batson,

a citizen of the United States, and Miss Jane Keys

a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such Marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and seal of office, this the 25

day of August 1888.

Isaac Jacobs Dept.

SEAL Clerk Sequoyah District.

Cherokee Nation, I. T.
Sequoyah, District.

I, E. J. Roberts, a minister of the Gospel hereby certify that on the 25th day of August 1888, I joined in marriage Mr. G. W. Batson, a citizen of the United States and Miss Jane Keys a citizen of the Cherokee Nation, agreeable to the authority given in the within license and the customs and laws of the Cherokee Nation.

Given under my hand this the 28 day of August A. D. 1888 E. J. Roberts, a Minister of the Gospel and mi credentials is recorded in the clerks office in the state of Ar kansas and in the county of Crawford at the city, A page 344.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., March 1, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Daniel , Minnie J. John H. Myrtle L. as citizen Sol the Cherokee Nation. Dora B. Crail and Beulah L. Batson

C. R. Breedinridge
Commissioner.

I 953

(14)

MARRIAGE LICENSE.

CHEROKEE NATION, Tahlequah District.

To any Person Legally Authorized, Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. Daniel Crail, a citizen of the United States, and Mrs Linnie J. Batson a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such Marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and seal of office, this the 27 day of April 1891.

John L. Adair, Jr.

SEAL Deputy, Clerk Tahlequah District

Cherokee Nation, I. T.
Tahlequah District.

I, Ridge Parchel a U. S. Commissioner for the Indian Territory First D. hereby certify that on the 27th day of April 1891 I joined in marriage Mr. Daniel Crail a citizen of the United States and Mrs Linnie Batson a citizen of the Cherokee Nation agreeable to the authority given in the within license and the customs and laws of the Cherokee Nation.

Given under my hand this 27th day of April, 1891.

Ridge Parchel
A U. S. Commissioner for Indian Territory
First Judicial Division.

SEAL

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., March 1, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Daniel, Linnie J. John H. Myrtle J. as citizen of the Cherokee Nation. Dora B. Crail, and Beulah L. Batson.

C. R. Breedlove
Commissioner.

C D 953.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Daniel Crail; his wife, Linnie J., and his children, Dellie, John H., Myrtle J., and Dora B. Crail, and a step-child Beulah L. Batson, as citizens of the Cherokee Nation.

SUPPLEMENTAL STATEMENT.

On the 13th day of December, 1900, there was filed with the Commission to the Five Civilized Tribes, an "Affidavit of the Mother," showing that on the 29th day of August, 1900, Dora Belle Crail was born to Linnie J. Crail, the lawful wife of Daniel Crail.

The affidavit is also accompanied by an affidavit of Sarah Van Meter, a neighbor, who was in attendance at the aforesaid birth.

It is directed that copies of this statement be filed with the testimony in this case.

Commissioner.

Dated at Muskogee, Indian Territory,
this 17 day of March, 1902.

C D 953

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Daniel Crail; his wife Linnie J., and their children Dellie, John H., Myrtle J., and Dora B. Crail, and his step-child Beulah L. Batson, as citizens of the Cherokee Nation.

On the 13th day of December, 1900, Daniel Crail appeared before the Commission to the Five Civilized Tribes, and made application for himself, wife, children and one step-child, as citizens of the Cherokee Nation.

At the conclusion of the testimony offered at that time, the name of Daniel Crail, Linnie J. Crail, Dellie, John H., Myrtle J., Dora B. Crail and Beulah L. Batson were placed upon a "Doubtful" card, awaiting further evidence of the citizenship of the wife and mother Linnie J. Crail. The necessary evidence has been furnished the Commission, and the following decision is rendered:

D E C I S I O N

--oOo--

From all the evidence of record in this case, it appears that Linnie J. Crail, formerly Batson, nee Keys, was re-admitted to citizenship in the Cherokee Nation by an act of the Cherokee National Council on the 20th day of June, 1887. It further appears that subsequent to said admission, she was married on the 28th day of August, 1888, to one G. W. Batson, deceased, and as a result of that marriage a child was born, Beulah L. Batson, one of the applicants in this case.

It also appears that subsequent to the death of the aforesaid G. W. Batson, she was again married on the 27th day of April, 1891, to her husband Daniel Crail; both of the marriages hereinbefore shown were in accordance with the laws of the Cherokee Nation.

All of the applicants in this case, with the exception of Dora B. Crail, are identified upon the Cherokee census roll of 1896, to-wit: Daniel Crail, Page 1278, #52; Linnie J. Crail, as Lennie J. Crail, page 1152, #600; Dellie as Della, page 1152, #601, John H., page 1152, #602, and Myrtle J. Crail, page 1152, #603. Beulah L. Batson, as Beula Batson, page 1140, #255. The said Dora B. Crail's age at the time of this application was four months, and consequently having been born subsequent to the making of the aforesaid roll, she is identified by a certificate of birth.

The Commission is authorized to make rolls of citizenship of the Cherokee Nation by the following provision of the Act of Congress approved June 28, 1898 (30 Stats. 495):

> "That in making rolls of citizenship of the several tribes, as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of eighteen hundred and eighty (not including freedmen) as the only roll intended to be confirmed by this and preceding Acts of Congress, and to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation, whose parents by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws."

In view of the facts and the law in this case, it is the opinion of the Commission that Linnie J. Crail; Dellie, John H., Myrtle J., Dora B. Crail, and Beulah L. Batson, are entitled to be enrolled as citizens by blood, and that Daniel Crail is entitled to be enrolled as a citizen by intermarriage of the Cherokee Nation, and it is so ordered.

Dated at Muskogee, I. T.

this 20 day of May, 1902.

D 953

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, I.T., OCTOBER 15TH, 1902.

In the matter of the application of Daniel Crail for the enrollment of himself as an intermarried citizen, and for the enrollment of his wife, Linnie J., and his children, Dellie, John H., Myrtle J., Dora B. and Beulah L. Batson, as citizens by blood of the Cherokee Nation.

Daniel Crail, being first duly sworn, under examination by the Commission, testified as follows;

Q What is your name? A Daniel Crail.
Q How old are you? A 43.
Q What is your postoffice? A Wagoner.
Q Are you a white man? A Yes sir.
Q Are you claiming as an intermarried citizen? A Yes sir.
Q What is your wife's name? A Linnie J.
Q Linnie J.? A Yes sir.
Q Is she a Cherokee by blood? A Yes sir.
Q How long has she been living in the Cherokee Nation? A Ever since '87
Q Ever since '87? A Yes sir.
Q When were you married to her? A '91
Q Married under a Cherokee marriage license? A Yes sir.
Q Is she your first wife? A Yes sir.
Q Are you her first husband? A No, she was married before, to E. W. Batson.
Q How was her first husband dead when you married her? A Yes sir, he was shot.
Q Have you and your wife, Linnie J. been living together ever since your marriage? A Yes sir.
Q Been making your home in the Cherokee Nation? A Yes sir.
Q How many children have you by your wife, Linnie Ja? A 6.
Q 6? A Yes sir, 4 living. I got a step-daughter.
Q Step-daughter is Beulah Batson? A Yes sir.
Q Are your four children and your step-daughter, Beulah Batson, living now? A Yes sir.

Cora Moore, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full the testimony and proceedings in this case and that the foregoing is a true and complete transcript of her stenographic notes thereof.

Cora M Moore

Subscribed and sworn to before me this 24 day of October, 1902.

B O Jones
NOTARY PUBLIC

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	506
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	596
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	679
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulsie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	263	William H. Burrow	967

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B. Ryne	3193
Eliza Henderson	3198
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3298
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3593
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4169

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4449
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie Conner	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Piqrow L. Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C. Peck	4652
Mopt C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
Elizabeth E. Burgess	4671
LaFayette Breeden	4673
James M. Boling	4676
Francis A. Neilson	4681
John F. Smith	4689
Rufus S. Steward	4691
John I. Haddock	4694
Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dodson	4836
Blackburn Reed	4882
Viola Lowther	4891
William B. Ritchson	4910
Henry D. McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCay	5093
Henry M. Lyon	5100
Alice J. Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M. Smith	5145
May Humphrey	5207
Donnie Burgess	5235

Nora B. Burgess	5236
John E. Etter	5239
Harriette Rogers	5240
Amanda Foreman	5244
William H. Wells	5261
John T. Gaylor	5266
Annie Sweeten	5269
Rosalee Hendricks	5278
Emma Chambers	5328
James H. Thomas	5329
Melville B. Baird	5332
James R. Goodall	5356
Charles Horton	5390
James W. Goddard	5417
Dora Cox	5425
Nannie G. Alberty	5438
Sallie Ward	5455
William H. Sutherlin	5484
Lizzie Hall	5487
Cyrus B. Essex	5489
Eda Taylor	5493
Laura Taylor	5494
Elector D. Miller	5496
Emberson M. Arnold	5498
Stella Henry	5499
William E. Oneal	5506
John M. Sharp	5509
John L. Davis	5514
Sarah E. Downing	5518
Samantha C. Glass	5524
Harry Jones	5525
Aggie Paris	5532
James W. Hallford	5535
Phoebe Coker	5537
Anthony K. Douglas	5538
Joseph H. Johnson	5541
Harvey O. Riggs	5547
Alice Glass	5553
Addison Reeves	5566
Alice Coats	5572
Julia Kidd	5575
William R. Greer	5576
Ross M. Sixkiller	5581
Nancy Inlow	5587
Daisey H. Owen	5599
Annie R. C. Owen	5600
Jesse McKnight	5602
Cicero J. Strange	5610
Henry Westenhaver	5611
Emma H. Roach	5612
William A. Polson	5613
Paulina P. Pitcher	5614
Charley Headrick	5615
William N. Stinson	5616
Lenora A. Henry	5621
Effie M. Adams	5622
John H. Shimp	5624
Thomas B. Dickson	5625
Minnie Henry	5628
Thomas J. Simpson	5629
Cap L. Lane	5630
Reuben E. DeLozier	5631
John Heape	5640
Perry G. Brock	5645
Mary J. Newcomb	5650
George W. Seigel	5660
Martha A. Parks	5666
Zelda C. Mills	5674
Lizzie Rogers	5675
Emma Pigeon	5676
Nellie Bluejacket	5677
Lucy Bacon	5679
Thomas B. Wood	5681
Asa W. Simerson	5683
William J. Kuhn	5686
Elsie Couch	5688
William H. Robinson	5692
Rachel Washington	5693
Isaiah B. Blackwood	5700
John R. Johnson	5701
Dennis W. Smith	5702
William H. Chesnut	5705
William H. Durham	5707
Albert B. Buckmaster	5710
Maud Crutchfield	5730
Joseph S. Layne	5731
Lena Bell	5737
Juan N. Corn	5748
Robert N. Crafton	5750
Benjamin F. Coffee	5756
Frank McSpadden	5760
Charles D. Pendleton	5775
Harden H. Green	5776
Emma J. Ward	5778
Robert C. Fuller	5781
Henry F. Extine	5796
Ida Wyly	5802
Richard L. Fite	5815
Edward Luta	5816
John F. Woodworth	5829

Horace H. Huddlestun	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Behr	5851
Euin M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Earley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Brickey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Julia Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6239
Mack C. Watkins	6246
Robert W. Murray	6261
John G. Petty	6269
Lucinda Poorboy	6279
Sarah Mayes	6286
Henry W. Pyeatt	6300
Isaac A. Wilson	6308
John T. Hall	6310
Edward L. King	6316
Katie Still	6325
Emmer Carlile	6338
Bird Webster	6347
Fannie Morris	6353
Leonard Lee	6357
James R. Miller	6362
James Brackett	6370
Nora Allen	6371
John T. Washington	6373

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Poca Phillips	6632
Lois E. Daniel	6678
William W. Turner	6689
Lillie B. Blackstone	6714
Mary Lillard	6715
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128
Terry A. Parkinson	7146
Cora L. Hanks	7147
Otto J. Zufall	7149
Rufus M. Norman	7155
Mary F. Foreman	7158
Alma West	7159
James M. Connally	7161
Francis M. Crowell	7163
Fannie E. McClure	7171
Benjamin B. Graham	7176
Ada Pharis	7180
William L. Whisenhunt	7184
Frances B. Perry	7191
Philip Shultz	7210
Hester A. Miller	7212
Minnie B. Edmonds	7213
Eliza Jordan	7217
William T. Ross	7218
Thomas M. Price	7225
James G. Wilson	7231
Frank Rhomar	7263
John W. Thompson	7267
Melissa Booth	7271
Solon L. Jackson	7273
Henry W. Coughran	7282
Sarah Ross	7291
Mary S. Smith	7322
John A. Martin	7323
Myrtle Robinson	7330
Allen L. Buckner	7331
James L. Goad	7350
Elijah Johnson	7351
Mary E. Kimbrough	7360
Jennie Burr	7367
Kiasay Sapsucker	7378
Sarah J. Johnson	7394
William I. Branan	7409
Wyatte T. Brady	7412
Lena O. Holderman	7413
Mary F. Hummingbird	7420
Bertha A. Allen	7425
Robert J. Tyner	7426
Fannie B. Martin	7434
Myrtle Wolfe	7435
Mary Blevins	7479
Sarah Ketcher	7488
Charles D. England	7512
May Cochran	7544
Rebecca Oglesby	7549
Robert B. Collins	7556
Nancy I. Brown	7579
Mary B. Walkingstick	7642
Robert T. Kelleam	7653
Mollie Morton	7797
Mattie Girty	8006
Mack Alfred	8015
Ida Harmon	8016
Ida McCoy	8417
Rosie Foreman	8903
Annie Jackson	9034
Margaret T. Langley	9092
Ida M. Davis	9266
Nora Crapo	9289
Margaret Harmon	9378
Mary B. Langley	9438
Ella Gravitt	9439
William M. Wilson	9444
David O. Scott	9446
Harriett Forbes	9447
John Carver	9449
Thomas J. Davis	9451
Clara M. Boudinot	9453
Mary E. Keys	9454
John G. Ainsworth	9456
Mary J. Christy	9460
Malinda Seabolt	9462
Mary Cumpton	9464
Mollie P. Mulkey	9465
Andrew Brimmer	9467
James F. Flippin	9471
William Bird	9473
Mollie C. Forbes	9476
William H. Thomason	9478
Mollie Devine	9481
Mary P. Guthrie	9482
Detlev N. Leerskov	9484
Nannie Cowart	9485
Leona Catcher	9489
Alexander B. Clapp	9502
Tennie Sanders	9503
Virgil A. Wiltshire	9505
Joshua K. Carr	9510
Herbert Kneeland	9518
Hugh E. Hope	9519
Thomas J. Ritter	9522
Martha Baldridge	9529
James R. Poindexter	9535
Maud Foreman	9539
Belle Bryant	9542

Joseph P. Smith	9550
George E. Watkins	9552
Florence Henry	9553
Jesse H. Johnson	9560
Lydia B. Barger	9561
Mary Jane Thomas	9562
James F. Petty	9563
Laura McCrary	9566
Joel D. Smith	9568
William T. Cave	9572
William Bugher	9577
James M. Smith	9582
John E. Nazworthy	9583
Beverly L. Lafon	9587
Robert L. Gentry	9590
John C. Barker	9591
John P. Greenwood	9593
Henry Hayes	9596
Ella Cornwell	9598
Asa A. Hedrick	9599
William C. M. Robinson	9600
Woodrow Hadley	9612
William T. Gregory	9613
Charles M. Keys	9616
Bate O. Reed	9618
Joseph E. Feland	9623
Florence C. Smith	9625
Charles M. Cox	9630
Otis S. Skidmore	9634
William H. Hundley	9635
Thomas A. McDonald	9636
Annie Sanders	9638
Mack H. Martin	9640
Mary Ward	9653
George Givens	9658
Phaney Poorboy	9660
Charley Kiper	9671
Andrew J. Snider	9672
William T. Barton	9684
Daniel Crail	9770
Mary M. Motte	9771
Lecia E. Herrin	9854
Gailen E. Carrick	9855
Rosa B. Barger	9857
Rachel Foreman	9858
Serepta C. Willis	9861
Virgie Seabolt	9864
Annie Cannon	9867
Isabella McCoy	9874
Robert E. Dry	9875
William G. Brown	9879
John B. Delay	9881
Pairlee Thompson	9882
Guenther W. Werther	9883
Margaret Crittenden	9884
Moses L. Morris	9889
Sarah L. Rogers	9891
Stephen Duncan	9892
Gideon D. Sleeper	9895
William A. Maddin	9896
John H. Horton	9904
Howe L. Rogers	9905
William Rush	9912
George W. Edens	9916
William H. Hall	9920
Edith B. Pheasant	9935
Carrie A. Collins	9936
Lucinda Spriggs	9937
Ella F. Hail	9939
John W. Harris	9949
Hannah Raper	9942
John J. Coughran	9945
Youra F. Waybourn	9946
Louisa J. Taylor	9947
William M. Evans	9948
William F. Pierce	9940
May F. Chambers	9950
Albert Stevenson	9954
Henry Kiefer	9955
Sarah Bean	9956
Zeno M. Cox	9964
Jerusha E. Blair	9965
Elias Kyle	9991
Ida Cushman	9992
James W. Fleming	9994
Samuel Holmes	9995
Walter H. Talley	9997
Hannah J. Miller	9998
Clara V. Ward	10002
Stephen W. Pittsenberger	10005
Mary E. Palmour	10008
William T. Partin	10011
Nellie Fields	10013
Sarah A. Dawes	10015
Willard E. Hutchins	10016
Jesse Talbert	10020
Julia E. Setser	10021
Amanda E. Howell	10022
Mamie J. Rogers	10023
Nannie Rogers	10024

James B. Bradshaw	10025
Ida L. White	10026
Addie B. Miller	10027
William R. Condry	10028
James D. Canary	10029
John Kelley	10031
Kate Craig	10033
John A. Butts	10034
John J. Dameron	10035
William Warner	10036
George A. Allen	10037
Watie Shirley	10038
John E. Carter	10039
John M. Boyd	10043
William Fister	10047
Darius B. Troth	10049
Harry A. Kelley	10050
Mary E. Purcell	10051
Myron L. Bronson	10052
George W. Taylor	10053
Josie Lowther	10054
Fannie D. Perry	10055
Minnie B. Williams	10056
Solomon Copeland	10058
Etha B. Wood	10059
James Pace	10060
Wiley B. McElhaney	10062
Nancy Patrick	10063
James R. Stout	10072
George Parker	10073
Laura Morton	10074
John D. Kelly	10075
Nettie Swift	10078
Maggie Baldridge	10079
David R. Stubblefield	10080
Thomas J. C. Thompson	10081
Cora P. Harlan	10082
William L. Singleton	10083
Lester Evans	10084
Ellen Mayfield	10085
Ella Bray	10087
David J. Matthews	10094
Thomas Brown	10100
Houston J. Payne	10103
Malinda E. Scudder	10104
Henry Odell	10105
Fred Macy	10107
Mary Russell	10108
Thomas B. Brown	10109
Samuel L. Milligan	10111
Millie A. Carnes	10113
Lucy E. Robards	10114
Edward H. Fitzgerald	10115
John T. Pickard	10117
Charles Rains	10118
Nancy Mayfield	10123
Anna B. Tittle	10124
Richard A. Clark	10126
Emma B. Martin	10128
Walter L. Bates	10129
Nellie Brewer	10130
William Heffernan	10131
Levi Ackley	10132
Bessie Davis	10133
Eva Brackett	10135
Caleba Carnes	10136
Jacksie M. Waybourn	10138
Minnie Shutt	10139
Charles L. McClure	10140
William W. Russell	10141
Delia Jenkins	10142
John A. Hood	10143
Oba Maxfield	10145
Mary L. Cloud	10146
Callie Inlow	10147
Everett M. Lowrence	10148
Dora E. Hays	10150
Julia M. Schrimsher	10151
Parmelia E. Lyman	10153
Charles F. Trickey	10161
Louisa J. Palmour	10169
George L. Walker	10170
Annie Taylor	10171
Josie Winters Hall	10174
Alice Nichols	10181
Lizzie Dry	10182
Emma Murray	10185
Annie Winton	10187
Marian Evans	10188
Elizabeth J. McClain	10192
Eliza J. Price	10199
Rissie Still	10200
Hannah E. Langley	10201
Alma Keith	10203
Flora A. Terrill	10204
Talesphora A. Paradee	10205
Samuel Shadix	10206
Mary E. Childers	10207
Robert M. Hamilton	10208
Julia Billingsley	10209

Nannie Martin		10210
Sarah A. Fields		10214
Susie Henderson		10216
Charles H. Rienhardt		10218
William H. Watkins		10221
Frank M. Rucker		10222
Henry C. Reed		10224
Laura B. Timberlake		10226
George A. Brown		10228
Drucilla Lowrey		10232
Almira Mouse	D	9
Lenora Prather	D	16
Andrew M. Cooter	D	17
Martin L. Stokes	D	28
Peter Walters	D	44
Columbus M. Reeves	D	58
Sarah Barnes	D	103
George T. Kiddy	D	108
Henry C. Agent	D	139
Joseph Phipps	D	147
Henry Hilton	D	149
David A. McGlamery	D	161
Maggie Doublehead	D	169
Annie Lovett	D	180
Nora Hood	D	184
John A. Johnson	D	232
Nathaniel G. Simpson	D	242
Oncico W. Head	D	244
Etta Taylor	D	245
Susan V. Sullivan	D	262
Levi H. Tackett	D	263
William H. Connelley	D	264
Julia A. Sullivan	D	284
May Fields	D	297
Katie Hummingbird	D	308
William F. Sager	D	320
Lovick P. Garrison	D	334
Henry Grubb	D	338
Lucy F. Lacey	D	340
Callie Blevins	D	341
James S. Alfrey	D	355
Shadrack C. Wallen	D	368
Ada Hall	D	376
Jane M. Hicks	D	396
Fannie L. Dupree	D	403
Willis Battles, Jr.	D	404
Joshua W. Ellis	D	413
Nina B. Owen	D	450
John M. Ridenour	D	455
Emery S. Thompson	D	464
Joseph Reed	D	468
Adolphus J. Hallum	D	483
Alexander Walker	D	490
Albert J. High	D	491
America Matoy	D	501
Moses L. Grazier	D	503
Myrtle Hall	D	509
Wallace Thursday	D	544
Thomas W. Baker	D	546
Mattie E. Keys	D	550
William S. Edwards	D	560
Susan L. Reed	D	572
William H. Lyman	D	574
Gracia Davis	D	577
Edward C. Bolen	D	582
Dora Guthrie	D	585
Samuel H. Hawkins	D	594
Lula M. Purcell	D	600
Ben Estes	D	603
Thomas M. Reynolds	D	621
Arthur Dodge	D	622
Carrie L. McNair	D	624
Constantine N. Walker	D	641
Joseph Davis	D	648
Leander A. Keys	D	650
James J. Barndollar	D	655
Nathan J. Brink	D	682
William S. Miles	D	688
Emma Waybourn	D	698
Dora E. Rogers	D	708
James W. Turley	D	709
Lizzie Ward	D	711
Robert J. Holly	D	713
Belle I. Quinton	D	728
Francis M. Boothe	D	734
Amos W. Lord	D	746
Agnes N. Childers	D	749
John E. Renfrow	D	752
William Coon	D	759
Louis Bruere	D	779
Georgia A. Waybourn	D	786
Eliza Fields	D	787
William H. Brown	D	788
William A. Cox	D	793
Charles A. Robison	D	799
Artha Williams	D	800
Adam Gearhart	D	806
Cicero F. Rogers	D	855
Annie Garrett	D	856
George S. Yarborough	D	875

Rhoda A. Sanders	D	878
Manuel Spencer	D	884
Benjamin H. Hulbert	D	894
Mary Brassfield	D	935
James L. Tindle	D	944
Silas G. Reneckar	D	966
Eliza Wofford	D	967
Jasper L. Newton	D	971
John N. Guinn	D	974
Hannah Parson	D	989
Nellie C. Helterbrand	D	1003
Thomas J. Welch, Jr.	D	1006
Lizzie Christian	D	1010
George Hazlewood	D	1013
James M. Jones	D	1022
Reuben A. Evans	D	1032
Carrie H. Cobb	D	1049
John M. Burns	D	1069
Sarah E. Henson	D	1083
Laura D. Henson	D	1086
Hettie E. Downing	D	1090
Benjamin F. Crain	D	1099
Benjamin Strickler	D	1129
Nancy Spaniard	D	1130
Annie Wilson	D	1131
Ora H. Maxwell	D	1135
Reuben W. Moore	D	1136
Cora Childs	D	1146
Janie Hughes	D	1179
Francis B. Reid	D	1180
Martha Carey	D	1195
Christina Johnson	D	1199
Louvenia Ironside	D	1208
Martha J. Henson	D	1218
David A. Martin	D	1228
Fred D. McEnery	D	1235
Nathaniel R. Martin	D	1261
James H. Requa	D	1266
Frank Carver	D	1267
Etta B. Payne	D	1270
Mary Garrett	D	1271
Joe W. Goodman	D	1272
Mathew J. Flanigan	D	1274
Lizzie C. Holland	D	1285
Etta Downing	D	1291
William Caywood	D	1296
Clarence W. Turner	D	1307
Alfred Chaney	D	1313
Euphemia Sweetwater	D	1314
Etta Russell	D	1319
Ella Vann	D	1320
Linnie Wofford	D	1330
Minnie Downing	D	1332
Katie Rider	D	1334
Samuel G. Mills	D	1337
Alfred H. Woods	D	1342
Cynthia Whitekiller	D	1352
Susie McSpadden	D	1361
Martha A. Houston	D	1363
Samuel M. Collier	D	1367
Katy Payne	D	1369
Joseph H. Warren	D	1375
Mattie Miller	D	1433
S. F. Moore	D	1434
Addie Schrimsher	D	1448
Fannie Vann	D	1458
Marcella Blakeney	D	1474
G. W. Williamson	D	1555
C. F. Walker	D	1558
Louisa Blevins	D	1567
Frank Cowles	D	1581
Mary Francis Madding	D	1637
Thomas Rodman	D	1661
Katie Still	D	1866
Ira Creach	D	1913
D. A. Mounts	D	1967
J. C. Sefton	D	1991
Jennie Holland	D	2024
Lou Sanders	D	2216
Caroline Barnes	D	2591
Lacey Crane	D	2592
Daisy Cash	D	2595
Hiram A. Landers	D	2599
Charles Neel	D	2603
Mattie Robinson	D	2605
Jennie Rich	D	2606
Alexander C. Russell	D	2607
Priscilla Ross	D	2608
Tom W. Reeves	D	2609
Mary Smart	D	2612
Rufus Tidmore	D	2613
Jasper Turquitt	D	2614
Mabel West	D	2618
Ophelia West	D	2619
Cora Whisenhunt	D	2620
Katy Martin	D	2667
Willis Butler	D	2686
Claud Barger	D	2687
Dixie Conner	D	2698
John Culwell	D	2699

Herbert F. Couch	D	2700
Albert G. Dykes	D	2703
Delora Drew	D	2704
Frank F. Danderson	D	2705
James Gafford	D	2708
Anna L. Harlin	D	2715
William R. Lipsey	D	2717
Bertha Landrum	D	2718
Lila More	D	2722
John D. Mathews	D	2723
Mary McIntosh	D	2725
Bertha Nidiffer	D	2730
Richard Nichols	D	2731
William G. Ross	D	2738
Irene Riley	D	2739
William H. Rowley	D	2740
Colombus C. Seroggins	D	2741
Della Summers	D	2743
William S. Sage	D	2744
Eliza Thomas	D	2748
John P. Thurman	D	2749
Mary E. Davis	D	2770
Jessie Frick	D	2774
Enna Buffington	D	2788
Will Black	D	2789
Maggie E. Davis	D	2792
Thomas Dotts	D	2793
William Daws	D	2794
Nancy Dawson	D	2796
Lena Fields	D	2797
Effie Grayham	D	2798
Alice C. Hill	D	2799
Bertha H. Harlin	D	2800
Margrett C. Hudson	D	2801
Joseph A. Kelley	D	2803
Andrew O. Kepler	D	2804
Josephine King	D	2805
Sarah Jane Birdsong	D	2806
Marion Maddox	D	2807
John A. McKennie	D	2808
Ione McGee	D	2809
Ollie Miller	D	2810
William A. Martin	D	2811
Jesse P. Morrow	D	2812
Oliver Mason	D	2813
Edna Whitehead	D	2814
Charley Nuckolls	D	2815
Etta M. Nidiffer	D	2817
Louiser Osseowee	D	2818
William H. Patterson	D	2820
Samuel A. Parkhurst	D	2821
Ellen Rogers	D	2822
Elijah Rolland	D	2827
Endora Steele	D	2828
William M. Stucker	D	2829
Sallie Tauuneacie	D	2831
Mary Tassle	D	2832
John F. Wolf	D	2835
Ruth A. Ward	D	2840
Winnie Daugherty	D	2884
Mary Guthrie	D	2885
Lydia Long	D	2886
Edda Roberts	D	2887
Manda Ward	D	2889
Elmira J. Alberty	D	2905
Thomas C. Cordray	D	2906
Edward Fowler	D	2907
Dora Foreman	D	2908
Parker Holt	D	2909
John Haston	D	2910
Georgie Harlin	D	2911
Percillia Johnson	D	2913
Bettie Morton	D	2915
Samantha Spade	D	2917
Mariah Ward	D	2918
Ellen Watt	D	2919
Nora Morten	D	2920
Lizzie Anderson	D	2981
Francis Duval	D	2984
Wade S. Hayes	D	2987
James A. Hankins	D	2988
Joseph Hardee	D	2991
Tennie Horn	D	2992
Eveline Hall	D	2993
John E. Leftwich	D	2995
Mattie Henson	D	2994
John D. Colvard	D	2998
Charles W. Phillips	D	2999
Sarah Shanks	D	3000
Nettie Young	D	3009
Jerry P. Ables	D	3043
Almedie Ross	D	3053
John S. J. Fowler	D	3055
Leaner Hood	D	3056
James D. Jackson	D	3057
Emma G. Nelson	D	3068
Alice Simco	D	3069
George O. Wallace	D	3072
Fannie Clay	D	3079
Ellen Drew	D	3079

Lue Fish	D	3081	Della Baldridge	R	105
Horace Gray	D	3082	Samuel Richey	R	107
Lula Pack	D	3083	Malissa Fields	R	144
Lelia C. Harris	D	3084	Fred Zimmerman	R	220
Thomas Jones	D	3086	Ella Anspach	R	241
Benjamin Laws	D	3088	Michael R. Miser	R	266
Martha Spade	D	3092	Belle A. Powell	R	352
Julian Wyrick	D	3093	Austin L. Hill	R	420
Samuel Harlan	D	3157	Mary L. Dudley	R	439
Lizzie Pharis	D	3171	Stephen Haslett	R	465
Jack Michael	D	3172	Mary A. Payne	R	484
Sarah E. Davis	D	3176	Rebecca Benge	R	563
Grace Guthrie	D	3181	Sarah Wilson	R	613
Mary E. Thornton	D	3183	Dora Crane	R	[illegible]
Mamie Thompson	R	4	Andrew Sitrell	R	641
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the [illegible] approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

D - 953.

COPY.

Muskogee, Indian Territory, May 21, 1903.

W. W. Hastings, Esq.,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Sir:

Enclosed herewith, please find a copy of the decision of the Commission rendered May 20, 1903, in the matter of the application of Daniel Grail et al. for enrollment as citizens of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the enrollment of the above named persons as citizens of the Cherokee Nation. If you fail to file the protest within the time allowed these applicants will be regularly listed for enrollment.

Very respectfully,

T. B. Needles.
Commissioner in Charge.

Enc. D-953.

COPY.

Muskogee, Indian Territory, June 10, 1902.

Daniel Grail,

Vagener, Indian Territory.

Sir:

There is herewith enclosed the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of yourself, your wife, Linnie E. Grail and your children Dollie, John K., Myrtle J. and Dora H. Grail, and your step-child Beulah L. Watson, as citizens of the Cherokee Nation.

Very respectfully,

Tams Bixby.

Acting Chairman.

Enclosure 3 CNS

Register.

Cherokee 9770

Muskogee, Indian Territory, March 13, 1907.

Daniel Cruil,

Wagoner, Indian Territory.

Dear Sir:

You are advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting your application for enrollment as a citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 26, 1907.

Respectfully,

B

Commissioner.

Cherokee
5 et al.

Muskogee, Indian Territory, March 12, 1907.

W. W. Hastings,

Attorney for Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 19, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Commissioner.

Encl.5-100


EMPTY

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, Jan. 10, 1901.

In the matter of the application of Charles Hunter for enrollment as a Cherokee citizen; he being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your full name? A Chales Hunter.
Q How old are you, Mr. Hunter? A About 55; don't know my age exactly.
Q What is your postoffice address? A Vinita.
Q What district do you live in? A Coowweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A By blood.
Q For whom do you apply for enrollment? A Just myself.
Q Is your name on the roll of 1880? A I think it was left off. I was at Fort Smith in 1880, and then I applied to the Council, and they admitted me.
Q Have you any certificate of admission? A No sir.
Q You applied to the Council and they readmitted you? A Yes sir
Q Have you a certificate of that? A No sir.
Q You will have to get a certificate. A I don't know whether you call it admitted or not. I drew money at that time. I went to Tahlequah and they enrolled me there.
Q Where were you born? A In the Cherkee Nation, Coowweescoowee district.
Q Have you always lived in the Cherokee Nation? A Yes sir.
Q All your life? A Yes sir.
Q What degree of blood have you? A Quarter.
Q What is the reason you are not on the roll of 1880? A I was at Fort Smith at that time.
Q State of Arkansas? A Yes sir.
Q Living there? A No sir, I was under arrest.
1896 roll: page 185, #2428, Charley Hunter, Coowweescoowee district
1894 roll: page 217, #2807, Charles Hunter, Coowweescoowee district.
Q What was your father's name? A David Hunter.
Q No living? A No sir.
Q What was your mother's name? A Susan.
Q She living? A No sir, she's dead. My parents died when I was small.
Q Died before 1880? A Yes sir.
Q You always been recognized as a citizen? A Yes sir.
Q Always exercised the rights - voted? A Yes sir. I am on every roll except the 1880 roll. I was left off that roll.

By W.W.Hastings, representative of the Cherokee Nation:
Q What was your mother's maiden name? A She was a Gunter.
Q A Cherokee? A Yes sir.
Q Your father a Cherokee? A No sir, he was a white man.
Q Except the time you were under arrest, you always lived in the Cherokee Nation - born in the Cherkee Nation? A Yes sir; lived right around Vinita. I was raised there.

Commissioner-
Q Has your citizenship to your knowledge ever been disputed? A No sir, never has.
Q How long was you at Fort Smith? A I was there about three or four weeks.
Q While the 1880 roll was being made? A Yes sir; and when I came back in the fall, I went to Council, and they put me on, and I drew money. I think it was $19.00 and something at that time.
Q You were enrolled? A Yes sir.
Q Received the cash by virtue of the 1880 roll? A Yes sir.

2- C.N.

Q Are you married? A No sir.

Commissioner Needles-

The name of Charles Hunter is found upon the Census roll of 1896 as well as the Pay roll of 1894. His name does not appear upon the authenticated roll of 1880, for reasons as he states in his testimony. He makes satisfactory proof as to his residence; but by reason of his name not being found upon the authenticated roll of 1880, final judgment as to his enrollment will be suspended, and his name will be placed upon a doubtful card.

E.C.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E C Rothenberger

Subscribed and sworn to before me this 11th day of January, 1901.

Commissioner.

DEPARTMENT OF THE INT[illegible]
COM[illegible]SION TO THE FIVE CIVILIZED [illegible]BES

FILED
JAN 11 1901

ACTING CHAIRMAN

Muskogee Nation, Indian Territory

Choctaw Nation

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 10 1901

ACTING CHAIRMAN.

Testimony of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 10 1901 1900.

35 Name leharles Hunter Vinita I.T.

District COOWEESCOOWEE. Year 1896 Page 183 No. 2428

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Denied

On 1896 roll as leharley Hunter

D - 1027.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., January 10, 1901.

SUPPLEMENTARY TESTIMONY - In the matter of the enrollment of CHARLES HUNTER,

Witness, Henry Falling, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Henry Falling.
Q What is your age? A 42.
Q What is your postoffice address? A Muskogee.
Q You a citizen of the Cherokee Nation? A Yes sir.
Q You know Charles Hunter? A Yes sir.

By W.W.Hastings, representative of the Cherokee Nation-
Q How long have you known Charles Hunter? A I have known him nearly all his life.
Q Did you knoe his father? A I have seen him. He got killed when I was very small.
Q Was his father a white man? A Yes sir.
Q What was his mother? A An aunt of mine. My father's sister.
Q A full sister? A Half sister. Her name was Connar.
Q Was she a Cherokee by blood? A Yes sir.
Q She had the same mother that your father did? A One mother.
Q Did your father get his Cherokee blood through his mother? A My father was a Cherokee full blood.
Q But his mother was a Cherokee? A Yes sir, on mohher's side.
Q Is Charles Hunter here a Cherokee? A Yes sir.
Q Has his rights ever been disputed? A Not that I know of.
Q You know why his name is not on the roll of 1880? A He seems to have been away at that time. He said he was at Fort Smith. He never was away for any length of time that I know of.
Q You knew him continuously ever since he was a little boy up to the present time? A My father raised him. They brought him down in the Choctaw Nation and raised him since the war, and we growed up in one house.
Q Where has he been living sincethe war? A Close to us at Vinita.
Q In the Cherokee Nation? A Yes sir.
Q Always lived in the Cherokee Nation? A Yes sir.

Commissioner-
Q Did Charles Hunter's father and mother die before 1880? A Yes sir, his mother died during the war time, and his father got killed during the war. He got killed close to Vinita where he is now.
Q Was Charles Hunter living with you at that time with your family? A In 1880, you see my father died. From 1880 we were left without any home, just living aroung with kin folks close together ever since that time. While my father was living, he was living with us all the time. I guess he is onevery roll exempt the '80, I don't know.

E.C.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the supplementary testimony in the above case, and that the foregoing is a full , true and correct transcript of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 11th day of January, 1901.

T. B. Needles
Commissioner.

9027 6

DEPARTMENT OF THE INT
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 11 1901

ACTING CHAIRMAN.

C. D-1027

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 15,1906.

SUPPLEMENTAL PROCEEDINGS, in the matter of the application of Charles Hunter for enrollment as a Cherokee citizen.

Appearances:
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter on the 27th of February,1902, that his application for the enrollment of himself as a citizen of the Cherokee nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 15thday of March,1906.

On this the 15th day of March,1906, the applicant having been called and failing to appear either in person or by attorney, the case is deemed completed, and will be reported to the Commission for final decision based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceeding in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M.D.Green

Cherokee D 1023.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Charles Hunter for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 10, 1901, Charles Hunter appeared before this Commission at Muskogee, Indian Territory, and made personal application for enrollment of himself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, March 15, 1902.

The evidence shows that the applicant is a Cherokee by blood; that he is identified on the 1894 strip payment roll and the 1896 census roll; that his mother was a Cherokee, and died prior to 1880. His father was a white man.

The evidence further shows that the applicant has resided in the Cherokee Nation all of his life, except three or four weeks in 1880, during which time he was under arrest at Fort Smith, Arkansas.

It is, therefore, the opinion of this Commission that Charles Hunter should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS:
[illegible] L. DAWES,
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BOCKSLEVEDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 28, 1902.

Mr. Charles Hunter,

Vinita, Indian Territory.

Dear Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 18 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

[illegible]
Clerk.

D

D1077

FILED

FEB 28 1902

COPY

Cherokee D 1027.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Charles Hunter for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 99.

COPY

D. 1067.

Muskogee, Indian Territory, October 24, 1902.

Charles Hunter,
Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge
Commissioner.

Enclosure C. No. 86.

Register.

Cher 9773
Callie Landers

Cher 9773

Department of the Interior .
Commission to the Five Civilized Tribes.
Muskogee, I.T., January 14, 1901.

In the matter of the application of Hiram Landers for the enrollment of his wife and children as Cherokee citizens; he being sworn and examined by Commissioner C.R.Breckinridge, testified as follows:

Q Give me your full name. A Hiram Landers.
Q How old are you, Mr. Landers? A 29.
Q What is your postoffice? A Starvilla.
Q In what district do you live? A Canadian.
Q Who is it you want to have put on the roll? A Wife and children.
Q And yourself? A No sir.
Q How many children? A Three.
Q Is your wife a Cherokee by blood? A Yes sir.
Q Give me her name? A Callie Landers.
Q How old is she? A 24.
Q When did you marry her? A In '95.
Q What time in '95? A December 29th.
Q Have you a certificate of marriage? A Yes sir. She was left an orphan when she was a little child. She went to live with a man by the name of Scales.
Q What is the name of your wife's father? A He died when she was small. I don't know.
Q Do you know the name of her mother? A No sir, I don't know.
Q You state that when you married your wife she was living with a family by the name of Scales? A Yessir.
Q They had brought her up? A Yes sir.
Q And she went by their name? A Yes sir.
Q Has she lived in the Cherokee Nation all her life? A Yes sir.
Q Then, she ought to be on the roll of 1880? A Yes sir.
Q Under what name in 1880? A Catch-Coon.in English; I think it is down on the roll under her Cherokee name.
Q Give me thename of this family that brought her up? A Joseph A. Scales.
Q Is he alive? A Yes sir.
Q Give me the name of his wife? A Amanda.
Q Is she alive? A Yes sir.

The applicant presents a license issued by the Clerk of Canadian district, authorizing marriage between himself and Miss Callie Scales, dated December 24, 1895. The certificate shows that they were united in marriage in accordance with said license on the 29th day of the same month and in the same year by the Rev. S. A. Evans. This is filed herewith.

Q Give me the names of these children? A Bertha Landers.
Q How old is Bertha? A She's going on five years old.
Q The next child? A William H. Landers.
Q How old is that child? A He will be two in February.
Q Both living now , are they? A Yes sir. I have another one Gracie; born the 24th of last December.
Q Is Gracie living now? A Yes sir.
1880 roll; Page 9, #224, Kella Coon, Canadian district.
1896 roll; page 9, #226, Catcher Coon, " "
1896 roll; page 45, #1169, Callie Landers, " "
1896 roll; page 45, #1170, Bertha " " "
Q Is there anybody here that knows your wife was the daughter of Catcher Coon&did&belonged to that family before she lived with the Scales'? A No sir, I don't know.
Q Anybody here that knows when she went by the name of Scales? A I don't know; I just came here to town, and came here by myself.
Q What proportion of Cherokee blood has your wife? A I would take her to be as much as three-quarters anyway.

2- H.L.

Commissioner Breckinridge-

The applicant applies for the enrollment of his wife and three children. He states that his wife's maiden name was Coon, but that she was an orphan at any early age, and was brought up by a family of Joseph A. Scales. Her marriage to the applicant on December 29th, 1895, under the name of Scales, which name she is said to have borne at that time, is established by the license and certificate filed herewith. The applicant does not apply for himself, he being a white man, and having been married after the Cherokee law, permitting the acquirement of citizenship by intermarriage. He states that his wife is three-quarters Cherokee blood; that she lived in the Cherokee Nation all her life. She is identified on the rolls of 1880 and 1896 as a nativeCherokee, but it is necessary to establish the change of name of the applicant's wife by custom, or otherwise, from that of Coon, under which she is identified in 1880, to that borne in the marriage license. She will now be listed for enrollment as a Cherokee by blood, but upon a doubtful card to await the evidence indicated. Of the three children applied for, the oldest, Bertha, is duly identified on the roll of 1896, is living now, and will be listed for enrollment as a Cherokee by blood on the card with her mother. When proper certificates of birth of the two younger children, William H. and Gracie, are filed with the Commission, these children will also be listed for enrollment as Cherokees by blood on the card with their mother.

E.C.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 15th day of January, 1901.

Commissioner.

5034 a

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

JAN 16 1901

ACTING CHAIRMAN

CHEROKEE BY BLOOD AND ADOPTION

B 1034

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 14 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 14 1901 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Callie Landers Starville I.T.

District CANADIAN Year 1880 Page 9 No. 22

Citizen by blood Ills Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Berta Landers	Dist. CANADIAN.	Year 1896	Page 43	No 1170	Age 4	
William N.	Dist.	Year	Page	No.	Age 2	
Gracie	Dist.	Year	Page	No.	Age 3 mo	
	Dist.	Year	Page	No.	Age	
	Dist.	Year	Page	No.	Age	
	Dist.	Year	Page	No.	Age	
	Dist.	Year	Page	No.	Age	
	Dist.	Year	Page	No.	Age	
	Dist.	Year	Page	No.	Age	

Dismissed

No 1 on 1880 roll as Kella Coon

Nos 3 & 4. Affidavits as to birth to be supplied

Evidence as to change of name of name from Leon to Landers required

D - 1034.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., January 14, 1901.

In the matter of the application of Hiram Landers.

Supplementary testimony.

Witness, Richard Hayes, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Richard Hayes.
Q How old are you? A 41 years old.
Q What is your postoffice? A Muskogee.
Q Do you live in the Cherokee Nation? A I live here now.
Q Are you a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee Nation, or been identified with the Cherokee Nation? A For 41 years, I guess.
Q All your life? A Yes sir.
Q You know the wife of Hiram Landers? A Yes sir.
Q What is her name? A Callie Catcher Coon.
Q Who brought her up? A Joel Scales.
Q Did she carry the name of Scales for some time? A Yes, some called her Callie Scales.
Q You know she is the one that was Callie Catcher Coon? A Yes sir.
Q Where did you know them? A Webbers Falls.
Q You lived near Scales'? A Yes sir.
Q Did you know the father and mother of this woman? A No, I didn't know them. I know that was her name. She went by that name.

Commissioner Breckinridge- This supplementary evidence will be filed with case D - 1034, and note will be made on the card.

E.S.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the supplementary testimony in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. S. Rothenberger

Subscribed and sworn to before me this 16th day of January, 1901.

Commissioner.

MARRIAGE LICENSE.

CHEROKEE NATION, Canadian DISTRICT.

TO ANY PERSON LEGALLY AUTHORIZED--GREETING:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr Hiram Landers a citizen of the United States, and Miss Callie Scales a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and Seal of Office, this the 24 day of Dec 1895

George Jennings

Clerk Canadian District.

Indian Sentinel Print

I. S. A. Evans a Minister of the Gospel
do hereby certify that on the 29th
day of Dec A.D. 1895 I did and accor-
ding to law as commanded in the
forgoing License solemnize the
Rite & Publish the Banns of
Matrimony between the parties
herein named
Witness my hand this 29th day
of Dec 1895

S A Evans
Pastor Baptist Church
Webbers Falls I. T.

Recorded this 5th day
Jan 1896

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 14 1901

Canadian Dist.
C N

ACTING CHAIRMAN

7811/02

D 1154 Freedmen

IN RE

Application for Enrollment of

INFANT CHILD

William H. Saunders

as a citizen of the

Cherokee Nation.

Approved, January 14 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED.
JAN 14 1901

ACTING CHAIRMAN.

D 1034

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of William H. Landers (Here insert name of child.), born on the 26 day of Feb, 1899

Name of Father: Hiram Landers, a citizen of the U.S. Nation.

Name of Mother: Callie Landers, a citizen of the Cherokee Nation.

Post-office, Starvilla, Ind Ty

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Nowata District. }

I, Callie Landers, on oath state that I am 24 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Hiram Landers, who is a citizen, by ~~blood~~, of the U.S. ~~Nation~~; that a Male (male or female) child was born to me on the 26 day of Feb 1899; that said child has been named William H. Landers, and is now living.

WITNESSES TO MARK: X Callie Landers

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 29th *day of* December 1900.

Jack Thompson NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Nowata District. }

I, Lizzie Coleman, a Midwife, on oath state that I attended on Mrs. Callie Landers, wife of Hiram Landers on the 26 day of Feb, 1899; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named William H. Landers.

WITNESSES TO MARK: Lizzie Coleman

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 1 *day of* May 1900.

J C Rennie

MARRIAGE LICENSE.

Cherokee Nation, Canadian District.

TO ANY PERSON LEGALLY AUTHORIZED--GREETING:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. Hiram Landers, a citizen of the United States, and Miss Callie Scales, a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such marriage, with a certificate of the same appended thereto and signed by you.

Seal {Canadian District / Justice / Cherokee Nation}

Given under my hand and Seal of Office this the 24th day of Dec., 1895.

George Jennings,
Clerk Canadian District.

I, S. H. Evans, a minister of the Gospel, do hereby certify that on the [illegible] day of December A.D. 1895I did and according to law [illegible] in the foregoing License [illegible]

[illegible]

[illegible]

Cherokee D 1034.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Hiram Landers for enrollment of his wife, Callie Landers, and his children, Bertha Landers, William H. Landers and Gracie Landers, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 14, 1901 Hiram Landers appeared before the Commission at Muskogee, Indian Territory and made personal application for enrollment of his wife, Callie Landers, and his children, Bertha Landers, William H. Landers and Gracie Landers, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on said date.

The evidence shows that Hiram Landers and the applicant, Callie Landers, nee Coon, were lawfully joined in marriage on the 24th day of December, 1895; that said Callie Landers is a Cherokee by blood and is identified on the 1880 authenticated tribal roll of the Cherokee Nation and the 1896 census roll. Her maiden name was Coon, but she was raised as an orphan in a family named Scales, by which name she is designated in her marriage license. She is identified on said 1880 roll under the name of Coon.

Said Bertha Landers is also identified on the 1896 census roll. The other children, William H. Landers and Gracie Landers, are too young to be on any roll, but are identified by birth affidavits on file with the Commission.

The evidence further shows that said Hiram Landers and Callie Landers have lived together continuously as husband and wife in the Cherokee Nation since the date of their marriage, and that said Callie Landers has resided in the Cherokee Nation all of her life. The children have lived with their parents in said Nation since their birth.

It is, therefore, the opinion of this Commission that said Callie Landers, Bertha Landers, William H. Landers and Gracie Landers should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COPY. Cherokee D 1034.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Hiram Landers for the enrollment of his wife, Callie Landers, and his minor children, Bertha, William H. and Gracie Landers, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 100.

COPY.

D - 1634.

Muskogee, Indian Territory, October 24, 1902.

Miram Landers,

Starvilla, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Callie Landers, and your three minor children, Bertha, William H., and Gracie Landers, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge,

Commissioner in Charge.

Acting Chairman.

Enclosure C. No. 66.

Register.

Cher 9774

Emma D. Berry

Cher 9774

R

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 14th, 1901.

In the matter of the application of Emma D. Berry for the enrollment of herself and child as citizens of the Cherokee Nation; said Berry being first duly sworn, testified as follows:
EXAMINATION BY THE COMMISSION:

Q What is your name? A Mrs. Emma D. Berry.
Q How old are you, Mrs. Berry? A About 27.
Q What is your post office address? A Muskogee.
Q For whom do you make application, anyone else besides yourself? A Myself and one child.
Q How long have you lived in the Creek Nation? A About eight years I guess.
Q Where did you live previous to that time? A Tahlequah.
Q Where were you born, in the Cherokee Nation? A Yes, sir.
Q Do you own property in the Cherokee Nation? A I just own a little bit of land right there near my father's place.
Q Do you claim that you are a resident of the Cherokee Nation or Creek Nation? A I claim to be a Cherokee.
Q Do you claim the Cherokee Nation as your home? A Yes, sir, that is where I was raised and don't know anywhere else.
Q What is the name of your father? A Walter A. Duncan.
Q Is he living? A Yes, sir.
Q What is the name of your mother? A Martha Duncan.
Q Is your mother living? A Yes, sir.
Q Is she a Cherokee? A Yes, sir.
Q Is our father a Cherokee? A Yes, sir.
Q What degree of Cherokee blood do you claim? A I think mymother was half and my father was half.
Q What is the name of your husband? A Frank M. Berry.
Q Your husband is dead? A Yes, sir.
Q Was he a Cherokee or white man? A He was a white man.
Q When were you married to him? A '93 I think.
Q You were never married before you married him? A No, sir.
Q Was he ever married before he married you? A No, sir.
Q What is the name of your child? A Mary Emma.
Q How old is she? A She was six this Fall.
Q Do you own any property here in the Creek Nation? A Yes, sir, I own my home.
Q What district were you enrolled in in 1880, 20 years ago? A Up at Tahlequah I guess. There is where I have always lived.
Q Were you enrolled in Canadian district four years ago? A I think so, my husband attended to that.
1880 Roll; page 629, #374, Emma Duncan, Saline.
1896 Roll; page 1138, #197, Emma Berry, Tahlequah.
1896 Roll; page 1138, #198, Mary Berry, Tahlequah.
Q Do you derive any rents from the land you own in the Cherokee Nation? A No, sir.
Q How much land do you own over there? A It's just a little patch where close to my father's place; it is not worth speaking of.
Q Have you ever lived in the Cherokee Nation since you were married to Mr. Berry? A No, sir. We were marriedaccording to Cherokee law.
Q Has you husband ever voted in the Cherokee Nation since he married? A Yes, sir, always voted in the Canadian district.
Q He was always recognized as a Cherokee citizen? A Yes, sir, the same as any other intermarried man.

COMMISSION: The Applicant herein [illegible] the enrollment of herself and child as citizens of the Cherokee Nation, and that they be identified upon the [illegible] roll of 1880 and the Cherokee Roll

of 1896 as a native Cherokee. She appears upon the roll of 1880 under her maiden name, and upon the roll of 1896 under the name of her deceased husband. She avers that she has not lived in the Cherokee Nation since her married to her husband in 1893. She also avers that she owns property in the Cherokee Nation but derives no benefit therefrom. For the reason that she has not lived in the Cherokee Nation for the past eight years, she will be listed for enrollment as a citizen by blood upon what is known as a doubtful card. The child is identified upon the census roll of 1896 as a native Cherokee. This child will, likewise, be enrolled with its mother as a Cherokee by blood, upon a doubtful card.

---oooOOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcri pt of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 14th day of January, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 14 1901

ACTING CHAIRMAN.

Descendants of Applicants Taken Under Dawes.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 14 1901 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Emma D. Berry Muskogee IT

District Saline Year 1880 Page 629 No. 374

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Mary E. Berry Dist. TAHLEQUAH. Year 1896 Page 1138 No. 198 Age 6

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

dr. 1 on 1880 roll as Emma Duncan

" " 1896 " " Mary Berry

D 1035

Cherokee D 1035.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Emma D. Berry for enrollment of herself and her daughter, Mary E. Berry, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 14, 1901 Emma D. Berry appeared before the Commission at Muskogee, Indian Territory and made personal application for enrollment of herself and her daughter, Mary E. Berry, as citizens by blood of the Cherokee Nation.

The evidence shows that the applicant, Emma D. Berry, is a Cherokee by blood and is identified on the 1880 authenticated tribal roll of the Cherokee Nation under the name of Emma Duncan as a Native Cherokee. She is further identified on the 1896 census roll and her daughter, Mary E. Berry, is also identified on said roll. In 1893 said Emma D. Berry was lawfully joined in marriage with Frank M. Berry, now deceased.

The evidence further shows that she has resided in the Cherokee Nation all of her life, except the last eight years, during which time she has been a resident continuously of the Creek Nation, Indian Territory.

It is, therefore, the opinion of this Commission that Emma D. Berry and Mary E. Berry should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section Twenty-One of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COPY

Cherokee D 1033.

Muskogee, Indian Territory, September 30, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1903, granting the application of Emma D. Berry for the enrollment of herself and her daughter, Mary E. Berry, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. C. No. 101.

COPY.

S - 1036.

Muskogee, Indian Territory, October 24, 1903.

Emma D. Berry,

Muskogee, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1903, granting your application for the enrollment of yourself and your minor child, Mary E. Berry, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.

Commissioner

Enclosure C, No. 44.

Register.

Char 1775
William Franklin

_R_

DEPARTMENT OF THE INTERIOR,
COMMI SSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 14th, 1901.

In the matter of the application of William Franklin for enrollment as a citizen of the Cherokee Nation of Shawnee blood; said Franklin being sworn and examined testified as follows:
EXAMINATION BY THE COMMISSION:

Q What is your name? A William Franklin.
Q How old are you? A About 32.
Q What is your post office a ddress? A I have been here in this country for four or five years.
Q Muskogee? A Yes, sir.
Q Do you apply for anyone else besides yourself? A No, sir.
Q Do you apply as a Cherokee by blood or intermarriage? A Birth right I guess.
Q What debree of Cherokee blood do you claim? A I am Shawnee.
Q About how much Shawnee? A About quarter.
Q Where were you raised? A Up aresound Vinita and Nowata.
Q Up until four years ago did you always make your home in the Cherokee Nation? A Yes, sir.
Q Always lived there? A Well I have been here off and on before I was of age.
Q Do you own any property in the Cherokee Nation? A No, sir.
Q Have you always exercised the right of suffrage in the Cher okee Nation? A Yes, sir.
Q You have always drawn money from the Cherokee Nation? A Yes, sir.
Q Do you own any property in the Cherokee Nation? A No, sir.
Q You have never drawn money from the Creek Nation? A No, sir.
Q You are here in Muskogee for the purpose of making a living? A I have not been here all the time; I am in the Cherokee Nation part o f the timeQ F
Q What is the name of your father? A Franklin I suppose.
Q His given name? A I do not know his given name.
Q What was the name of your mother? A Pumpkin. They come here from Johnson County, Kansas, in about '78.
Q Was your father a white man? A Yes, sir.
Q Were you living in the Cherokee Nation 20 years ago? A Yes, sir.
Q With whom were you living in 1880? A Frazier.
Q What are his initials? A Dr. E. B.; I do not know whether they put me down as Franklin or Frazier; they call me that all the time.
1880 Roll; page 9, #11, Willie Frazier, Orphan Roll, Delaware.
Applicant:--I was working in St. Louis in 1896.
Q How long did you remain in St. Louis. A I was there three years.
Q When did you go there? A I went there in '95.
Q When did you return? A I returned in 1896, and went back again about May, 1896 and came back in December, 1897.
Q You were up there only two years. A I was there a little over two years.
1896 Roll; page 17, #353, Wm. Franklin, Pay roll of the Cherokee-Shawnee citizens Cherokee Nation, as dispubsed by Mr. D. W. Lipe.
Q How long has it been since you actually made your residence in the Cherokee Nation? A It was in the Spring of '94.
Q Have you ever voted in the Cherokee Nation since you left there in '94? A No, sir.

COMMISSION: The applicant applies for the enrollment of himself as a citizen of the Cherokee Nation of Shawnee blood: He is identified upon the authenticated roll of 1880 as an adopted Shawnee, under the name of Willie Frazier. He avers that at that time he was living with one E. B. Frazier. He is not identified upon the

William Franklin -2- IH

census roll of 1896. His name is found upon the Shawnee pay roll for the year 1896. Opposite his name on the pay roll for said year, appears the following note: "Dated January 12, 1897, D. W. Lipe, Treasurer, per Telegram dated 1-25-'97, from St. Louis. Draft forwarded by mail to St. Louis."

The applicant has not made his actual residence in the Cherokee Nation since the year 1894. He does not own any property in the Cherokee Nation; neither has he exercised the right of suffrage in the Cherokee Nation since the year 1894. He will be listed for enrollment as a citizen of the Cherokee Nation of Shawnee blood on what is known as a Doubtful card. When final judgment is rendered in his case, he will be notified at his post office address.

---oooOOOooo---

J.O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J.O. Rosson

Subscribed and sworn to before me this 16th day of January, 1901.

Commissioner.

JAN 15 1901
FILED
COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

William Franklin [illegible] He is found upon the [illegible] census roll of [illegible] for the year 1896 [illegible] his name on the pay roll for said year, appears the following note: "Dated January 19, 1897. D. B. Lipe, Treasurer, per Telegram dated 1-25-97, from St. Louis. Draft forwarded by mail to St. Louis."

The applicant has not made his actual residence in the Cherokee Nation since the year 1894. He does not own property in the Cherokee Nation; neither has he exercised the rights of a citizen in the Cherokee Nation since the year 1894. He will be listed for enrollment as a citizen of the Cherokee Nation by blood on what is known as a Doubtful card. When final judgment is rendered in this case, he will be notified by letter addressed.

---oOo---

I, O. Rosser, being first duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this [illegible] day of January, 1901.

Commissioner.

D1036-E

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 14 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 14 1901 1900.

32) Name William Franklin Muskogee I T.

District DELAWARE (Orphan Roll / ~~Shawnee~~) Year 1880 Page 9 No. 11

Citizen by blood Yes Mother's citizenship Shawnee

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

On 1880 roll as Willie Frazer

R

C. D-1056

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 15, 1902.

SUPPLEMENTAL PROCEEDINGS, in the matter of the application of William Franklin for the enrollment of himself as a citizen of the Cherokee Nation.

Appearances:
W.W.Hastings, attorney for the Cherokee Nation.

(Applicant's representative is J.R.Sequichie, Chelsea, I.T.)

BY COMMISSION: On the 27th day of February, 1902, the applicant and his agent were notified by registered letter that his case being the application of himself for enrollment as a Cherokee citizen, would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 15thday of March, 1902. Receipt has been acknowledged by the Applicant and by his agent, J. R. Sequichie. On this the 15th day of March, 1902, applicant and his agent having been called and failing to respond, the case is deemed completed, and will be reported to the Commission for final decision, based upon the evidence now of record.

I, M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

Cherokee D 1036.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of William Franklin for enrollment as a citizen of the Cherokee Nation of Shawnee blood.

D E C I S I O N.

The record in this case shows that on January 14, 1901, William Franklin appeared before the Commission at Muskogee, Indian Territory and made personal application for enrollment as a citizen of the Cherokee Nation of Shawnee blood. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, March 15,1902.

The evidence shows that the applicant is thirty-two years of age and of Shawnee blood; that he is identified on the 1880 authenticated tribal roll of the Cherokee Nation as an adopted Shawnee, under the name of William Frazier. He took the name, Frazier, from one Doctor E. B. Frazier, with whom he was living in the Cherokee Nation in 1880. The applicant is further identified on the 1896 Shawnee pay roll under the name of William Franklin, which is his correct name.

The evidence further shows that the applicant has lived in the Cherokee Nation all of his life, except the last four years previous to making this application; that from 1895 to December 1897 he was employed most of his time in St. Louis, Missouri; that from December 1897 up to and including the date of this application he was a resident of Muskogee, Creek Nation, Indian Territory.

It is, therefore, the opinion of this Commission that William Franklin should be enrolled as a citizen of the Cherokee Nation of Shawnee blood, in accordance with Section Twenty-One of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Mr. William Franklin,

Muskogee, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 15 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee-1036
Register.

Acting Chairman.

Second copy in charge.

M1036

FILED
FEB 25 1902

COPY

Cherokee D 1036.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of William Franklin for the enrollment of himself as a citizen of the Cherokee Nation of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. C. No. 102.

COPY.

Cherokee B - 1036.

Muskogee, Indian Territory, October 25, 1902.

William Franklin,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen of the Cherokee Nation, by Shawnee blood.

Respectfully,

C. R. Breckinridge

Commissioner in Charge.
Acting Chairman.

Enclosure C. No. 62.

Register.

COPY.

Cherokee D - 1038

Muskogee, Indian Territory, October 25, 1902.

J. R. Sequichie,
Agent for William Franklin et al,
Chelsea, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of William Franklin for enrollment as a citizen of the Cherokee Nation, by Shawnee blood.

Respectfully,

R. Brecken[illegible]
Commissioner in Charge.
Acting Chairman.

Enclosure C. No. 63.
Register.

Cher 9776

Samuel A. Cash

Cher 9776

REJECTED, as to Applicant:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 18th, 1901.

In the matter of the application of Joseph B. Cash for the enrollment of himself and child, SAMUEL A. CASH, as citizens of the Cherokee Nation; said Cash being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name? A Joseph B. Cash.
Q How old are you, Mr. Cash? A 49.
Q What is your post office? A Muskogee.
Q In what district do you live? A I live here in Muskogee.
Q What district in the Cherokee Nation do you claim as your home? A Canadian, that's where I have lived most of the time.
Q Who is it you want to have enrolled, yourself and family? A Myself and two sons, I am an adopted citizen.
Q You are a white man are you? A Yes, sir.
Q You say your name is on the 1880 Roll? A Yes, sir.
Q How long have you been living in Muskogee? A I have been living in Muskogee a year last March.
Q What are you engaged in? A Well drilling.
Q Do you make your home at this time in Muskogee or in the Cherokee Nation? A I am making my home here in Muskogee at the present.
Q How do you keep identified with the Cherokee Nation; have you any interests over there? A No, sir, I have no interests in the Cherokee Nation.
Q Have you lived in the Cherokee Nation all the time down to last march, a year ago, since 1880? A No, sir, I have not been there all the time.
Q Where have you been? A Part of the time I have been in Texas.
Q Where were you when you were enrolled in 1880? A I was living in Delaware district.
Q How long did youcontinue to live in the Cherokee Nation? A I could not say exactly, something over a year.
Q And then where did you go? A I went to Texas.
Q How long did you stay there? A I could not answer that correctly I must have been there five or six years; four or five years.
Q And then what did you do? A I moved back to the Cherokee Nation.
Q And how long did you stay here? A I have been here for ten years, I moved last June 10 years ago I think it was.
Q You came back from Texas? A Yes, sir.
Q Previous to that time you had been in Texas had you? A Yes, sir.
Q When you came back here did you apply for readmission to the CherokeeCommission or Council? A No, sir, I did not.
Q Is your Cherokee wife dead? A Yes, sir.
Q What was her name? A Her maiden name was Bane.
Q Full name please? A Mary, or Mary Ann Bane.
Q When did you marry her? A I was married to her in '74.
Q When did she die? A She died about two or three years after I went back to Texas; she was in bad health and that was the cause of our going to Texas.
Q Have you ever married since her death? A Yes, sir, I have been married twice since her death.
Q When were you married? A I married once in Texas and once in this country.
Q What was the name of the first woman you married after her death? A Her name was Bennie A. Hawkins.
Q About when did you marry her? A I could not tell you.
Q About how long after your wife died? A About two years.
Q Was she a white woman or Cherokee? A Yes, sir, white woman.
Q Is she dead? A Yes, sir.
Q About how long has she been dead? A A little over a year.

Q And you have remarried since her death? A Yes, sir.
Q Are you living now with the wife you married after the death of Bennie Hawkins? A Yes, sir.
Q Give me the name of this present wife? A Her name is Dosha Fooy, that was the name of her husband, she had been married.
Q Is she a white woman? A Yes, sir.
Q You have recently married her? A Yes, sir, she was a white woman and adopted citizen of the Cherokee Nation also.
Q What was the name of her husband, Fooy? A I believe he signs his name, S. W., but I ain't sure; he is known as Sunny Fooy by everybody.
Q He is dead is he? A No, sir.
Q He is a Cherokee is he? A Yes, sir.
Q Did you make your home regularly in Texas while you were down there? A Yes, sir, I made that my home.
Q Carried all your effects down there? A Well pretty well.
Q You lived there and had a family? A I farmed down there.
Q Did yeu vote at the elections? A I don't remember whether I voted or not.
Q Did not you consider yourself a citizen of Texas at the time you were living down there? A Well when I moved there I went there for my wife's health and of course we calculated that our home. When we went there I did not go there with the calculation of staying there. Her health failing her and being sick so long; when she died that left me in almost a destitute condition with some small children. I staid there for quite a while; was not able to get away.
Q Now, these children, are they the children of your xxfirst wife? A Yes, sir.
Q Now, give me their names place? A John A Cash.
Q How old is that child? A He must be 22 years I think.
Q Where is he? A I could not tell you where he is at present.
Com'r: He must apply for himself.
Q Give me the name of the next child? A Sam, or Sam A.
Q How old is he? A He is 20 years old.
Q You do not know where Sam is now? A No, sir, I got a letter from him a couple of months ago, he was at Wilburton.
Q Where is Wilburton, its in the Indian Territory is not it? A Yes, sir.
Q Did Sam come back with you from Texas? A No, sir, he had been here for a long while with his uncle before I come.
Q He has been living here ever since that time? A Yes, this has been his home all the time.
Q When did you hear from him last? A It has been a month or two perhaps.
Q Whom is he living with? A He did not say, he said he was at work.
Q So you do not know for certain whether Sam is alive or not? A I do not know for positive, It might have been a month; I am looking for mail from him at any time. I have not say him since along in the Summer, and I told him that he ought to be here when they was enrolling and he said for me to enroll him.
1896 Roll; page 14, #408, Samuel Cash, Canadian.
(Note:--Enrolled with #1710) #1710 is Danner W. Reeves.
Q Now, this Danner W. Reeves was he your wife's brother? A He was my wife's half brother.
Q Kin on the father or mother's side? A Mother's side.
Q Was that mother a Cherokee by blood? A Yes, sir.
Q Whereabouts you and yourfirst wife married? A We were married in Texas.
Q Now, it appears from your testimony that her half brother, Mr. Reeves, was admitted to citizenship by the Cherokee Commission;

was your wife admitted when she came here from Texas? A Yes, sir.
Q Have you a certificate of her admission? A No, sir, we was admitted in the Fall of '79.
Q Under what name was she admitted? A Unde r my name I suppose.
Q Did your wife and her half brother come here at the same time?
A No, sir, my wife and her mother come here at the same time.
Q Her maiden name was Bane? A My wife's yes, si r.
Q Had she been married before she married you? A No, sir.
Q What was her mother's full name? A Elizabeth.
Q And her mother,s brother was admitted at the same time too; have you never had the certificate of your wi fe's admission? A No, sir.
INTERROG ATORIES BY W. W. HASTINGS, Cherokee Representative:
Q About what time did Sam return to the Cherokee Nation as near as you can remember? A I could not.
Q About how long after his mother's death in Texas; how long before you come from down there? A I do not know, how long he had been here before I moved from there, a year or two.
BY THE COMMISSION:
Q Where was Sam born? A Born here.
Q In the Indian Territory? A He was born in Muskogee. I was living in Canadian district and I come to Muskogee and staid until after his mother was well.
BY W. W. HASTINGS:
Q How long did you stay after that child was born in Muskogee? A About a year.
Q You stated that that child was born in March of 1880 A Yes, s ir.
Q You testified in particular that you give in your name to the census taker in 1880? A Yes, sir.
Q How could you have been living in Muskogee? A I was not living at muskogee; I lived here in the Cherokee Nation:

Com'r Breckinridge:--The applicant applies for the enrollment of himself and two sons: The older son it develops is 22 years of age and it will be necessary for him to apply for himself and consequently no proceedings is had with reference to th e applicaxtion for his enrollment: As for the applicant himself, he is not identified upon any roll of the Cherokee Nation, nor is there any evidence that he has ever been admitted or recogni ed as a Cherokee citizen, consequently this Commission has no juriadiction over his application and only a memorandum can be made of the application for himself. If he desires this memordandum reported to the Secretary of the Interior, that action will be taken upon the receipt of a written request to that effect. The name of his younger son, Sam A. Cash, is identified on the roll of 1896. He is said to be living at this time somewhere in the Cherokee Nation, though the information in regard to this is somewhat indefinit. It is claimed by the applicant that child child's mother was admitted to citizenship by the Cherokee Commission on Citizenship in 1879, and that she lived in the Cherokee Nation until after this child's birth. He is not able to establish the fact of the admission of the child's mother at this time. To await further evidence upon this point, this child, Sam A. Cash, will now be listed for enrollment as a Cherokee by blood on a doubtfu l card and the applicant is desired to procure an official copy of the Cherokee Council or other authorities admitting, as he states, this chi ld's mother to citizenship and supply this Commission with that information.

---oooOOOooo---

Joseph B. Cash--4.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 16th day of January, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN. 19 1901

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 15 1901 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

John T. Leash	Dist.	Year	Page	No.	Age
Sam A. Leash	Dist. CANADIAN	Year 1896	Page 14	No. 408	Age 20
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Doubtful

On 1896 roll as Samuel Leash

Evidence of admission of Mother of No 1. required

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 15 1901

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 15 1901 1900.

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

John A. Leash Dist. ..... Year ..... Page ..... No. ..... Age .....

Sam A. Leash Dist. CANADIAN. Year 1896 Page 14 No. 408 Age 20

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

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Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

On 1896 roll as Samuel Leash

Evidence of admission of Mother of No 1. required

SUPPLEMENTAL TESTIMONY, CASE "D" #1038.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., FEBUARY 8th, 1901.

SUPPLEMENTAL TESTIMONY IN THE MATTER OF THE ENROLLMENT OF SAMUEL A CASH AS A CITIZEN OF THE CHEROKEE NATION, CASE "D" #1038.
Joseph B. Cash, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q Give me your full name? A Joseph B. Cash.
Q You want to supply some information in regard to the enrollment of your son, Samuel A. Cash? A Yes sir.
Q You appeared before the Commission January 15th at this place?
A I do not know what day; it was at this place though.
Q At the time you appeared, you did not know the whereabouts of your son, Sam A. Cash? A No sir, I did not.
Q Do you know where he is now? A No sir; I have not heard from him.
Q When did you hear from him last? A I can not say positively; it may be six weeks; mayby longer; mayby not so long.
Q How old is he? A He is twenty I think.
Q Where was he when you heard from him, say six weeks ago?
A At Wilburton, Indian Territory.
Q What was he doing? A He said he was at work, but he did not say what kind of work.
Q You have not heard from him since you were here last? A No sir.
Q You then stated that it was two months? A Well, I can not say; it might have been two months, or more, or it may have been not so long.
Q What did you say was the name of your wife, the mother of this child? A Mary Ann Cash.

Com'r. C. R. Breckinridge: The applicant presents an official copy of an Act of the Cherokee Council, approved December 6th, 1879, admitting to citizenship, among others, Mary Ann Cash. This is accepted as satisfactory evidence of her admission as stated, and this document is filed herewith.

This testimony will be filed as additional testimony in Case "D" #1038. The readmission of the mother of the said Sam A. Cash is supplied, but it is desired in view of the testimony in this case to have further evidence of the said Sam A. Cash being alive at the time of the application for his enrollment.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 8th day of Febuary, A. D., 1901.

COMMISSIONER.

1038

SUPPLEMENTAL TESTIMONY, CASE "D" #1038.

IN THE MATTER OF THE APPLICATION OF
CHEROKEE TO [illegible] ALLOTTED LANDS.
MUSKOGEE, INDIAN TERRITORY, March, 1901.

SUPPLEMENTAL TESTIMONY IN THE MATTER OF THE ENROLLMENT OF SAMUEL A CASH AS A CITIZEN OF THE CHEROKEE NATION, CASE "D" #1038.

Joseph E. Cash, being duly sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q Give me your full name? A Joseph E. Cash.
[illegible] to supply some information in regard to the enrollment of your brother, Samuel A. Cash? A Yes sir.
[illegible] difficulty in [illegible] enrollment? A [illegible]; it was at the time [illegible].
[illegible] A No sir, I did not.
[illegible] A No sir, I have not heard from [illegible]
[illegible] A I could not say positively; [illegible]; maybe longer; maybe not so long.
[illegible] A [illegible] I think.
[illegible] heard from him, any of his people are?
[illegible], Indian Territory.
[illegible] A [illegible] work, but he did not [illegible].
[illegible] you were here last? A No sir.
[illegible] A Well, I can not say; [illegible], or more, or it may have been not so [illegible].
[illegible] the name of your wife, the mother of this [illegible]? A [illegible].

[illegible]: The applicant presents an official [illegible] Council, approved December 6th, 1878, [illegible] others, Mary Ann Cash. This is accepted as satisfactory evidence of her admission as stated, and this document is filed herewith.

This testimony will be filed as additional testimony in Case

file D 1038

An act readmitting Eliza Pane to Citizenship.

Be it enacted by the National Council: That Eliza Pane and her children, James Pope and Mary Ann Cash be and they are hereby readmitted to all the rights and privelages of Cherokee Citizenship

Tahlequah C.N. (December 2 d 1879.

J.P.Davis,

President Senate.

J.L.Springton,
Clerk

Concurred in by the Council December 4th 1879.

Geo Muir,

Speaker Council.

D.B.Hicks,

Clerk Council.

Approved Dec. 6th 1879.

B.W.Duckyhead,

Principal Chief.

Executive Office Cherokee Nation ,

Tahlequah Ind. Ter.

I, B.W.Alberty assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of laws filed in this office and in my custody.

Given under my hand and the seal of the Cherokee Nation this the 30th day of January 1901.

B. W. Alberty

Assistant Executive secretary.

Cherokee Nation.

8201 C

An act readmitting Eliza Bane to Citizenship.

Be it enacted by the National Council that Eliza Pane and her children, James Pope and Mary Ann Pope be and they are hereby readmitted to all the rights and privileges of Cherokee Citizenship

Tahlequah C.N. (December 2 d 1879.

J.F.Davis,

President Senate.

D.B.Spri[illegible],
Clerk.

Concurred in by the Council December 4th 1879.

Geo Hair,

Speaker Council.

D.R.Hicks,

Clerk Council.

Approved Dec. 6th 1879.

D.W.Bushyhead,

Principal Chief.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FEB 8 1901

R

C. D-1038

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March15,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS, in the matter of the application of Samuel A. Cash for the enrollment of himself as a Cherokee citizen.

Appearances:
Joseph B. Cash, applicant's father, for applicant;
W.W.Hastings, atterney for the Cherokee Nation.

BY COMMISSION: The applicant's father, Joseph B. Cash, was notified by registered letter February 27th,1902 that the application of his son Samual A. Cash for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commissionat its offices in Muskogee, Indian Territory, on the 15th day of March,1902. Receipt has been acknowledged of the Commission's letter, and the applicant's father this day to-wit: the 15th day of March, 1902, appears in person.

JOSEPH B. CASH, being first duly sworn and being examined testified as fellows:
BY COMMISSION:
Q What is your name? A Joseph B. Cash.
Q How old are you? A 50.
Q What is your post-office address? A Muskogee.
Q Are you the father of Samuel A. Cash? A Yes sir.
Q Youhave heretofore made application to this Commission for his enrollment as a citizen of the Cherokee Nation? A Yes sir.
Q Where is this boy of yours now? A He was downon Red River when I got the last,- that is the last time I heard from him, in February, since I got this letter I have never been able to hear from him.
Q When did you hear from him? A It was sometime in February I got the letter, it was written on the first.
Q You don't know of your own knowledge whether this boy is alive? A Only from letters, I get letters from him all the time. To the best of my knowledge it is his own handwriting.
Q When was the last time you saw this boy? A Not since before I made this application; it has been a year last summer since I saw him.
Q Was he in the Indian Territory the last time you heard from him? A Last time I heard from him; the letter was mailed at Albany, Texas.
Q That is just right on Red Rive r? A Yes sir, right across the river.
Q Have you any reason to believe that this boy is not alive? A No sir, I am satisfied he is living, so far as that is concerned.
Q Any further statement you desire to make relative to his enrollment? A No sir, nothing more than I spoke about the document I got from Tahlequah, then I have some other witnesses.
Q You couldn't prove by these witnesses that this boy is living? A No sir, all it would be would be just to prove that he had a right to be enrolled.
Q You submit the case in behalf of your son to the Commission for final decision? A Yes sir.

BY COMMISSION: Joseph B. Cash in behalf of his son, Samuel A. Cash, submits the case, and the representative of the Cherokee Nation submits the case; same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

I, M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

I, K.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilised Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
OCT 17 1953
MUSKOGEE, OKLA.

M1038

An act readmitting Rhina Rand to Citizenship.

Be it enacted by the Nation Council: That Rhina Pace and her children, James Pope and Mary Ann Cash be and they are hereby readmitted to all the rights and privileges of Cherokee Citizenship

Tahlequah C.N. (December 2d 1878.

J. L. Springston,
Clerk

J. B. Davis
President Senate.

Concurred in by the Council December 4th 1878.

D. R. Hicks,
Clerk Council.

Ono Mair,
Speaker Council.

Approved Dec. 6th 1878.

D. W. Duskyhead,
Principal Chief.

Executive Office Cherokee Nation,
Tahlequah Ind. Ter.

I, E. W. Alberty assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of laws filed in this office and in my custody.

Given under my hand and the seal of the Cherokee Nation this the 30th day of January 1901.

Seal

E. W. Alberty
Assistant Executive secretary
Cherokee Nation.

Muskogee, I. T., June 5, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of a certified copy of an act of the National Council, which is now on file in the office of the Commission.

H. M. Vance

Cherokee D 1038.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Joseph B. Cash for enrollment of his son, Samuel A. Cash, as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 15, 1901 Joseph B. Cash appeared before the Commission at Muskogee, Indian Territory and made personal application for enrollment of his son, Samuel A. Cash, as a citizen by blood of the Cherokee Nation. Said Joseph B. Cash is also included in said application, but is differently classified and not embraced in this decision. Further proceedings in the matter of said application were had at Muskogee, Indian Territory February 8, 1901 and March 15, 1902.

The evidence shows that the applicant, Samuel A. Cash, is twenty years of age and is a Cherokee by blood; that he is identified on the 1896 census roll and that prior to his birth his mother, Mary A. Cash, a Native Cherokee, was re-admitted to citizenship by an Act of the National Council of the Cherokee Nation, approved December 6, 1879; that the applicant's mother was the first wife of his father, Joseph B. Cash, a white man; that some years after her re-admission to citizenship in 1879 as aforesaid, she died in the State of Texas, while there temporarily for her health.

The evidence further shows that the applicant was a resident of the Cherokee Nation at the time of the making of this application, and for about seventeen years prior thereto.

It is, therefore, the opinion of this Commission that Samuel A. Cash should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. H. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902

Mr. Joseph R. Cash,

Muskogee, Indian Territory.

Sir:-

You are hereby notified that the application of Samuel A. Cash

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

15 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-1038
Register.

Yours truly,

[redacted]
Acting Chairman.

Commissioner in Charge.

FILED
FEB 28 1902

COPY.

Cherokee D 1035.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Joseph B. Cash for the enrollment of his son, Samuel A. Cash, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 103.

COPY.

B - 1038.

Muskogee, Indian Territory, October 24, 1902.

Joseph B. Cash,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of your minor child, Samuel A. Cash, as a citizen, by blood, of the Cherokee Nation.

Respectfully,

T. B. Breckinridge

Acting Chairman.

Enclosure C. No. 62.

Register.

Cher 9777

Martha A. Storey

Cher 9777

Department of the Interior,
Commission to the Five Civilized Tri es,
Nowata, I.T., October 16, 1900.

In the matter of the application of Martha A. Storey for the enrollment of herself and children as Cherokee citizens; being sworn and examined by Commissioner Needles she testified as follows

Q What is your name? A Martha A. Storey.
Q What is your age? A 51.
Q What is your p st-office address? A Lenapah.
Q What dis rict do you reside in? A Cooweescoowee.
Q Are you a recogized citizenof the Cherokee Nation? A Yes sir, by adoption, adopted Shawnee.
Q Whatdegree of blood do you claim? A Over half I guess.
Q For whom do you apply for enrollment? A Myself and my children.
Q What is your father's name? A Long, I coulnd't tell you his given name.
Q He is not living? A No sir.
Q Your mother not living either? A No sir.
Q What are the names of your children? A Percy Austin Shufeldt
Q How old is he? A 18 or 19.
Q What is the name of the next one, A Zoe Eula Shufeldt.
Q How old is Zoe? A She is 16.
Q What is the name of the next one, A Benjamin Cyprian Shufeldt
Q How old is Benjamin? A 13.
Q Any others? A Marietta Shufeldt, 11 years old
Q What is the name of the next one? A Markham William Shufeldt, 8 years old.
Q Any others? A That's all.
Q Your present name is Storey? A Yes sir.
Q You were married before? A Only to Mr. Shufeldt.
Q Was he your first husband? A Yes sir.
Q What was h s name? A H.C. Shufeldt.
Q Is he living? A No sir.
Q What was your maiden name, A Long.
Q Was that your name in 1880? A I wasmarried in 1869.
Applicant: I don't think you will find my name on the 1880 roll; I came in through council.
Q Have you got any certificate? A Yes sir. (Produces papers)
Com'r: The applicant presents certified copy of an act of the National Council approved December 9th 188[illegible] by D. W. Bushyhead Principal Chief admitting among others one Martha Shufeldt to all the rights of Cherokee citizenship; said certificate of citi zenship being under the great seal of the Cherokee Nati n, signed by John L. Adair, Assistant Secretary; the provisions of said act being that said Martha Shufeldt shall pay to the treasurer of the Cherokee Nation the sum of 195 dollars she also presents a receipt signed by D. W. Lipe, Treasurer, of the Cherokee Nation, under date of May 16 1883, for the sum of 195 dollars.
Q You were admitted under this in Decemb r 1882; where were you living at that time? A We were living up in Johnson County Kansas at that time; Mr. Shufeldt was down here though, on a ranch.
Q When did you remove to the Cherokee Nation? A 18 years ago, this last April.
Q That was in 1882? A Yes sir.
Q You lived in Kansas until 1882? A Yes sir, except Mr. Shufeldt he has been here 18 years.
Q [illegible] living? A No sir, he died.
Q [illegible] here 18 years, but you were not here? A No, I mean I [illegible]
Q [illegible] were your children born? A They were all born up [illegible] youngest ones, Dolly and Mark [illegible] Kansas. [illegible] in the Territory.

Q You mean Marietta and Markham? A Yes sir. I call her Dolly, nick-name.
Q Are these children alive and living with you at this time?
A Yessir/
Q You have been living continuously them in the Cherokee Nation since 1888? A Yessir/
1896 roll page 350 #323 Marth A. Shufeldt Cooweescoowee;
1896 roll page 350 #325 Percy A. Shufeldt "
1896 roll page 350 #326 Zoe E. Shufeldt "
1896 roll page 350 #327 Benjamin C. Shufeldt "
1896 roll page 350 #328 as Mary E. Shufeldt "
1896 roll page 350 #329 as Mark W. Shufeldt "
Q Did your husband, Shufeldt, get a license, A Yes sir, he was an adopted Shawnee, he was adopted in Johnson County Kansas; I have got my license at home.
Q You state then under oath th t your husband, H. C. Shufeldt when did he remove here you say? A I don't remember just what time, it has been, it was 18 years ago.
Q But he didn't remove his family here? A No, he had some of the children with him.

Com'r Needles: The name of Martha A. Storey is found upon the census roll of 1896 by her former husband's name, who is now deceased, Shufeldt; the names of her children, Percy A., Zoe E. Benjamin C. Marietta and Markham W/ are found upon the census roll of 1896; the name f the applicant, Martha A. is ~~found~~ not found upon the authenticated roll of 1880, but she presents certificate of admission more particularly described in the testimony, admitting her as a Cherokee citizen of Shawnee blood; because of the fact that she did not remove to the Cherokee Nation until the year 1888, and the law of the Cherokee Nation provides that all Shawnees who shall elect to avail themselves of the provisions of the agreement approved by the President in 1869, shall register their names and permanently locate in the Cherokee Nation within two years from the date, ~~of~~ otherwise they shall forfeit all the rights of the agreement; because of the further provision of the Cherokee law approved December 4th 1894, providing that all persons who have been or may hereafter be readmitted to citizenship in the Cherokee Nation ~~may remove and permanently locate~~ are required to permanently locate in the Nation within 6 months from the passageof said law, which was approved December 4th 1894; because of the further fact that the provisions of the Curtis Bill provid that all Cherokee citizens who were residentsof the Cherokee Nation at the time of the passage of said Bill;- said United States law being conflicting final decision as to the enrollment on said Martha A. Storey and her children willbe suspended, and their names will be placed upon doubtful catd

M.D.Green, being first duly sworn, statesthat as stenographer to the Commission to the Five Civilized Tribesshe correctly recorded the testimony and proceedingsin this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 16thday of October 1900.

Commissioner.

FILED
OCT 16 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 16 1900 1900.

Name Tenapah D S.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Martha A Story

District COOWEESCOOWEE. Year 1896 Page 350 No. 329

Citizen by blood yes Mother's citizenship "

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

Percy A Shufeldt	Dist. COOWEESCOOWEE.	Year 1896	Page 350	No. 325	Age 18
Zoa E. "	Dist. COOWEESCOOWEE.	Year 1896	Page 350	No. 326	Age 16
Benjamin O. "	Dist. COOWEESCOOWEE.	Year 1896	Page 350	No. 327	Age 13
Marietta "	Dist. COOWEESCOOWEE.	Year 1896	Page 350	No. 328	Age 11
Markham K. "	Dist. COOWEESCOOWEE.	Year 1896	Page 350	No. 329	Age 8
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Son 1896 minus Martha A Shufeldt

Son 18 minus Mary E. Shufeldt

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee I.T. 2/26/02

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Martha A Storey for enrollment as ~~Freedmen~~ of the Cherokee Nation.

by her

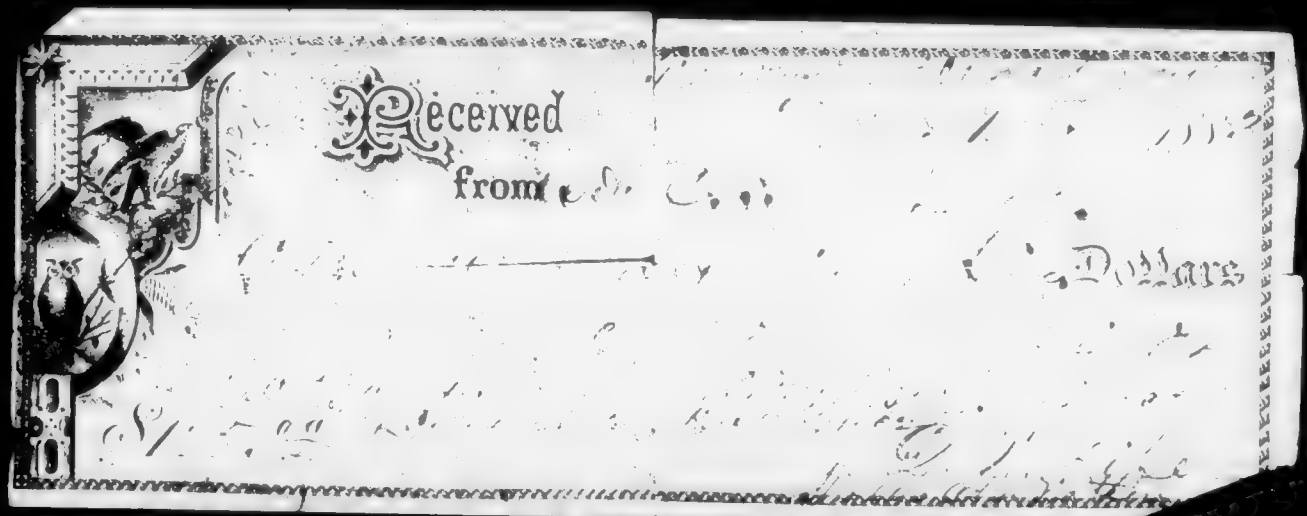
E. B. Lawson
Atty

No. 0601

D 2601

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 26 1902

Acting Chairman.


Received
from
Dollars

This is to certify I. did acting as deputy clerk of Delaware District Cherokee Nation. Marry Ann Threlkeld and Martha Threlkeld. The said Mary Threlkeld being a citizen of the United States and having complied with the laws of the Cherokee Nation authorizing and providing for intermarriage with white men and foreigners. Said marriage having taken place about the 18th day of May 1883 - I do hereby certify that the papers and records in this marriage were accidentally burned before they could be returned to the clerks office

J. L. Thompson

Sworn to and subscribed before me this the day of Sept 1887

T. J. McGhee
Clerk Del Dist C N

I hereby certify that J. L. Thompson whose genuine signature appears to the above certificate was duly appointed and acting deputy clerk at the time therein named and fully authorized to solemnize marriages

Attest T. J. McGhee

T. J. McGhee Clk Del Dist C N

(Doc. E.)

2601

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K

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 1902

An Act to admit Martha Shofield and children, Laura Ann, John Grant, and Percy Shofield, and Minnie Chateau to citizenship.

Be it enacted by the National Council:

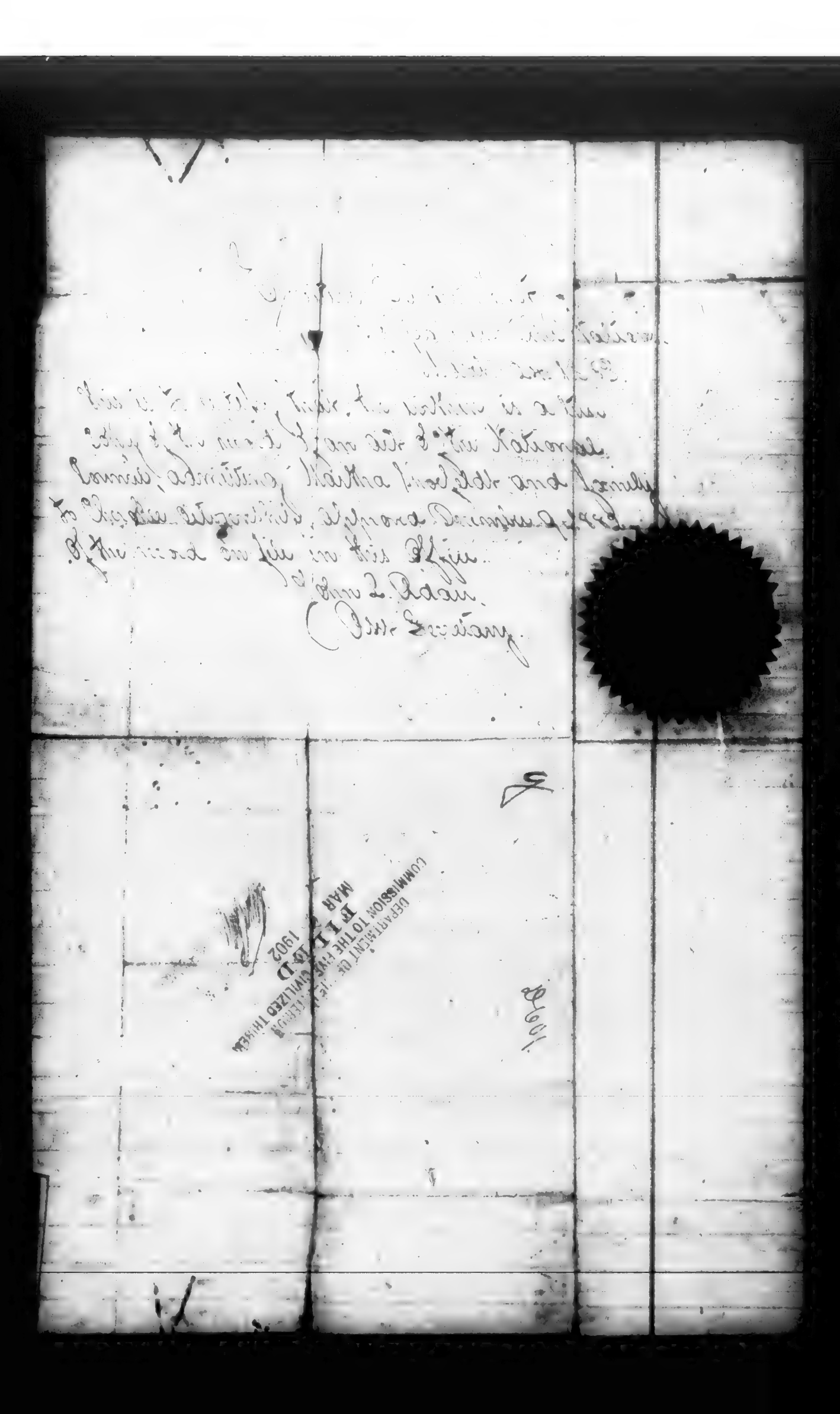
That Martha Shofield and children, Laura Ann, John Grant, and Percy Shofield, and also Minnie Chateau, all Shawnee Indians by blood, be, and they are hereby, admitted to all the rights, privileges and immunities of the Shawnees residents in, and citizens of, the Cherokee Nation, on the same conditions imposed by the agreement between the Cherokee Nation and the Shawnees, concluded June 9, 1869, and approved by the President, June 9, 1869.

Provided: That the persons herein admitted, shall pay to the Treasurer of the Cherokee Nation the sum of One-hundred and ninety-five dollars each, the same being the amount, per-capita, paid by the Shawnees now citizens of the Cherokee Nation, and Provided further that the above amount shall be paid by each of said Shawnees before any rights shall accrue under this act.

Sec. 2. That A. C. Shofield, a white man and father of the above named children shall be required to comply with the laws of this Nation, relative to intermarriage with white men, and foreigners, before he shall be recognized as a citizen of this Nation.

Approved Dec 9 1882.

D. W. Bushyhead, Pres. Nat.


DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 1902

[illegible]

This is to certify that the within is a true
copy of the record of the National
Council, admitting Martha Hirshfeldt and Family
to Cherokee Citizenship, Approved December 1st 1893
& Recorded on file in this Office.

John L. Adair.
Asst Secretary.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 1902

"R"

Cherokee D 601

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 5,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Martha A. Storey for the enrollment of herself and children as citizens of the Cherokee Nation.

Appearances:
Applicant in person and by attorney, J.H.Keith, Coffeyville, Kansas;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 13,1902, thather application for the enrollment of herself and children would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the 5th day of March,1902; receipt has been acknowledged of the Commission's letter, and the applicant this day, to-wit: March 5th,1902, appears in person and by her attorney, J.H.Keith, of Coffeyville, Kansas.

MARTHA A. STOREY, being first duly sworn and being examined testified as follows:
BY MR. KEITH:
Q State your name and place of residence? A Martha A. Storey.
Q Where do you reside? A Cooweescoowee District.
Q How long have you been married to Mr. Storey? A We was married in 1896, if I remember right.
Q What was your name prior to your marriage to Mr. Storey? A Martha A. Shufeldt.
Q You were married to Shufeldt? A Yes sir.
Q ~~Was~~ Is he now living? A No sir.
Q When did he die?A He died in 1895.
Q When were you married to Mr. Shufeldt? A 1869.
Q Did you live with him until the time of his death? A Yes sir.
Q Where were you married? A In Johnson County, Kansas.
Q When did you first come to the Indian Territory? A My first trip down here was in 1883.
Q Where did you come then? A Come here where we are living now, on Hickory Creek.
Q How long did you stay there? A I stayed there that time two or three months, if I remember right; I don't remember just how long I was down here at the time, I don't really know how long I stayed that time.
Q How much of your time were you down in the Indian Territory prior to 1886? A I was down here often and on, come down here every two or three months maybe five or six months.
Q Where was your husband during that time? A Down here most of the time.
Q What was he doing? A Making our home.
Q A farm up there on Hickory Creek? A Yes sir, we had a farm up there on Hickory Creek.
Q Did he have any property outside of improvements while he was living on Hickory Creek between 1886 and 1888? A Yes sir, he had stock, cattle and horses and hogs.
Q Well you come down three or four times a year? A Yes sir.
Q How long would you usually stay? A Sometimes a month, two or three months,sometimes only six weeks.
Q Did you have anybody keeping house for you down in the Indian Territory during those years? A Yes sir.
Q Where did you stay that portion of the time when you were out of the Indian Territory during the interval between 1883 and 1889? A I stayed up in Johnson County looking after things up there, as I

could arrange things to come down.
Q I will ask you if Mr. Shufeldt owned a farm in Johnson County, Kansas, from 1883 up until the time of his death? A Yes sir.
Q Was he farming that farm between 1883 and 1888? A No sir.
Q What was being down withit? A Rented itout.
Q What farming he was doing was down here?A Just down here, yes sir.
Q For what reason did you spend a portion of the time you have just testified in Johnson County Kansas? A Well on account of my health. I didn't have very good health at that time and my physician was up there and I was there on that account.
Q I see that sometime after that you spent a few months in California, I will ask you if that was for the benefit of your health? A Yes sir, and on account of Mr. Shufeldt's health, he had awful poor health and so did I.
Q You lived there for the benefit of your health for a short time? A Yes sir,
Q You say that between the years 1883 and 1888 all of thebusiness of you and Mr. Shufeldt was carried on down here?A Yes sir,
Q You had rented out your farm you had in Kansas? A Yes sir.
Q You had a housekeeper here and spent part of the time in the Indian Territory? A Yes sir,
Q And part of the time in Kansas for your health? A Yes sir.
Q I will ask you if youhad a physician in Johnson County,Kansas, during those years? A Yes sir.
Q Were your children minors during the interval between 1883 and 1888? A Yes sir, theywere minor children.
Q I will ask you if any of those children spent their time in the Indian Territory? A Yes sir.
Q Any of them spend all of the time down here? A Yes sir.
Q Or come with you? A Well I left them down here; they come down with me and part of them stayed here.
Q I will ask you if this was your home then during that period? A Yes sir, I calledit my home.

BY MR. HASTINGS: I desire that the record in this original application, October 16,1900, which states that this woman presented a ~~xxxxxxxxxxxxxxxxxxxx~~ certified copy of the act of National Council approved December 9,1889, be corrected It is evidently 1882 or '3.

BY COMMISSION: It appears from the certificate of admission which is ~~filed~~ in offered in evidence and which this day has been filed and made a part of the record in the case, that the applicant was admitted to citizenship on the 9th day of December,1882, instead of the 9th day of December, 1889, as shown when the certificate was presented at the time the original application was made at Nowata on the 16th day of October,1900.

There is also offered in evidence by the attorney for the applicant a marriage certificate showing that Henry Shufeldt a citizen of the United States, and Martha Shufeldt, were united in matrimony on the 18th day of May,1883, by J.L.Thompson, depety clerk of Delaware District,Cherokee Nation. This is filed herewith.

There is also offered in evidence a receipt signed by D.W. Lipe, Treasurer of the Cherokee Nation, bearing date of May 16,1883, showing that he received from H.C.Shufeldt the sum of 196 dollars, the same being due on the admissionof Martha A. Shufeldt to citizenship, per act of Council dated December 9,1882. Same is filed herewith.

Likewise, a certificate signed by Robert B. Ross, treasurer of the Cherokee Nation, bearing date September 8,1885, showing that he received from Percy Shufeldt the sum of 196 dollars, for and in consideration of citizenship in the Cherokee Nation of said Percy Shufeldt, as per an act of the National Council approved December 9,1889."

BY MR. HASTINGS:

Q Mrs. Shufeldt, the only ones that you applied for that were admitted were yourself and Percy; the only people on this certificate of admission that you applied for are yourself and Percy you say? A Yes sir, he was the youngest he one; he was the baby.
Q Percy didn't pay in his money until 1888, according to this receipt? A Yes sir.
Q That right? A Yes sir.
Q You and your husband were in bad health along from 1883 until 1888? A Yes sir.
Q He stayed down here as a health resort nearly all the time?
A He came down here to make our home.
Q But he was in bad health? A Yes sir.
Q This was a health resort for him?A I don't know about that, he came down here to makeour home.
Q Johnson County was a health resort for you? A Part of the Time.
Q The Cherokee Nation didn't agree with you? A No sir, not very well.
Q Johnson County didn't agree with him? A He had bad health.
Q Got so bad up in Johnson County that he had to go to California?
A Yes sir, he went there.
Q You have ~~maintained~~ managed to live here though fro m 1888? A Oh yes.
BY MR. KEITH:
Q He didn't though, did he? A No sir, he died.
BY MR. HASTINGS:
Q You have managed to live here though from that time on? A Yes sir, well I come down here and had to get used to the climate, it didn't agree with any of us when we first came down here. We all had bad health the first three or four years.
Q You were admitted in 1882? A Yes sir.
Q And you came here in 1888 to live? A Yes sir, well I come here beforethat off and on. I came here for the purpose of making my home here, but the final movement I made in 1888, I had been making moving down all that time from 1882 to 1888.
Q You owned a farm in Johnson County? A Yes sir.
Q You own it yet? A Yes sir.
Q You have always owned it? A From 1882 until 1888.
Q While you were in Kansas you lived on that farm? A No sir, I didn't live there, always.
Q Well while you were up in Kansas you were on this farm were you not? A I go there, yes, that's all the place I had to go to.
Q Oh of course I know you were not there a tenth of your time, but the time you were in Kansas, you were on this farm? A Yes sir, when I go back I go to that farm.
Q Where did you live the time you spent in Kansas from 82 until 1888? A I lived there part of the time and here part of the time.
Q But the time you lived in Kansas, madam? A I lived on that place up there.
Q How much of the time did you spend down here in 1883? A I could not remember, I didn't put down the dates. I was here about half of the time as well as I can recollect.
Q Don't you think you were here more than half of that time? A I didn't say that, I may have been.
Q Don't you think you were here as much as three-fourths of your time in 1883? A I guess I was.
Q As much as three-fourths of your time in 1884? A Yes sir.
Q As much as three-fourths of your time in 1885? A Yes sir.
Q As much as three-fourths of your time in 1886? A Yes sir.
Q Nod do you make those statements? A Yes sir.
Q Did you make that sort of a statement when you were here before the Commission, before? A No sir, they didn't ask me to. I merely answered the questions they asked me.

Q They asked you the question before "You lived in Kansas until 1888?" and your answer was to that: "Yes sir, except Mr. Shufeldt, he has been here 18 years." You statedbefore that all of your children were born in Johnson County exceepting the two youngest? A Yes sir.
Q Now one of them was born, according to your statement in '84 Zoel, she is 16 yearsold? A Yes sir, she was born in Kansas. I went up there on account of my physician being up there, and this country was newly settled and I didn't like to stay here at that time; I went back on that account.
Q Benny was born up there? A Yes sir.
Q Well how about your physician being up there when Marietta? A.This country was more settled and I got acquainted with the people down here and the physicians also.
Q Is not there something in the fact that Marietta was born in 1889 and you were moved down here in 1888? A No sir, she was born here in the Territory.
Q After you moved down here in 1888 you didn't have any occasion to go back up there? A Well as I tell you before, I got acquainted with the people down here, and I stayed down here at that time, but before it was merely a new country here and I was not acquainted with anybody, and the physicians also, and I went back to my own physician up there in the State.
Q You were down here according to your present statement about three-fourths of the time, and yet you were not here enough to get acquainted with them? A Well I would rather go back to my old-
Q You answered this question before:"But he didn't remove his family here?" referring to your husband, you answered at that time, "No." "He had some of the children with him."? A Yes sir, I left some of the children dow n here.
Q Which one did you leave? A Laura, John Shufeldt,
Q Not a one of these children has applied with you for enrollment not one of their names appear on this card? A Annie Laura is my child.
Q None of these that's on this card down here? A No I guess not.
Q They were both with you? A Let's see which ones.
Q Those that's under age, they were both with you? A Oh they were the younger ones, and the older ones was down here, big enough to help do something.
Q Did your husband farm downhere? A Yes sir.
Q How much of a farm did he have in Johnson County? How many acres? A Well we had 240.
Q You own it now?A Yes sir.
Q Have owned it all the time? A Yes sir. Didn't want to give it wa away.
Q All the time that you were living up there from 1882 until 1888 as you testified before, in this time your home was down here in the Cherokee Nation? A Yes sir.

BY MR. KEITH:

Q That farm has been rented out ever since 1883 has it not? A Yes sir.
Q Has not been cultivated since that date by either you or Mr. Shufeldt? A No sir.

BY MR. HASTINGS:

Q Your husband was in bad health in '82 and '3 was not he? A Why he was in bad health before that time.
Q Was not able to do much work? A No sir.
Q He didn't farm anywhere at that time? A He did up there before he got in bad health.
Q I mean after that? A No sir, he looked after the business.
Q He didn't farm himself, personally, down here? A No sir.
Q Hadit rented out down here? A No sir, he hired hands, he was not able to do hard day's work.

Q You know he didn't actually go out and make a farm with his hands himself? A He done some work.
Q Did he make a crop himself, regularly? A Not by himself, no sir.
Q Did he put in corn separate and apart from his for himself and plow it? A By himself? no sir.
BY MR. KEITH:
Q He had hired men to do all these things? A Yes sir.

ARTHUR DODGE, being first duly sworn and being examined testified as follows:
BY MR. KEITH:
Q Please give your name and place of residence? A Arthur Dodge.
Q Where do you reside? A About nine miles north-west of Nowata, Indian Territory.
Q How long have you livedin that country? A Well where I live now 21 years.
Q How long have you lived in the northern part of the Indian Territory? A Most of the time 30 years, but where I live now 21 years.
Q Are you acquainted with Martha A. Storey, the applicant in this case? A Yes sir.
Q How long have you known Mrs. Storey? A Since about 1883.
Q Where did you know her? A I first seen her at the Shufeldt ranch about six or seven miles north of my, on Hickory Creek.
Q In the Cherokee Nation? A Yes sir.
Q How often did you see her there between 1883 and 1888? A I don't mind seeing her there but three or four times.
Q How often were you there? A Several different times during the three or four years.
Q Shufeldt was farming there? A He had a farm there, and a bunch of cattle.
Q He was there? A Most of the time.
Q You saw his wife there?A I saw her there several times.
BY MR. HASTINGS:
Q You knew that his family didn't live there between those years, between 1882 and 1888? A They didn't stay there permanently; I saw her there, andone of the girls and Johnnie.
Q You knew they were there from Kansas? A Yes, they seemed to be there from Kansas; the old man was in bad health I think; he stayed there nearly all his time.
Q You knew from neighborhood information and from him that the family was in Kansas and he was there improveming the farm?
A Yes sir, I could see that, backwards and forwards.
Q How far did you live from the ranch? A I think about seven miles then.
Q You had occasion to be aro und there frequently? A Yes sir.
Q You saw her there three or four times? A I seen her there several times during ,- well as near 1883, the time that railroad was built.
Q I want to know if you know between those dates whether she lived there and kept house between 1882 and 1888? A All I can say I have seen her doing house work there at the ranch when I was there.
Q At the ranch? A Yes sir.
Q You knew she was not there permanently? A I would consider it not permanently.
BY COMMISSION: This case is continued until half-past one o'clock, this afternoon, for the appearance of further witnesses.

AFTERNOON, March 5,1902, time: 1:45, P.M.
Appearances:
Same as in forenoon. (Continued from forenoon.)

J.H.SHUFELDT, being first duly sworn, and being examined testified as follows:
BY MR. KEITH:
Q Please state your name and place of residence? A J.H.Shufeldt, Lenapah, I. T.
Q How long have you resided in or near Lenapah, Indian Territory? A I have been living there since 1884.
Q What relation do you sustain to Martha A. Storey, the applicant? A She is my mother.
Q Do you know when your father, H. C. Shufeldt, camt to the Indian Territory? A Yes sir.
Q When? A I think he came in the fall of '83.
Q Do you know when yourmother first came down? A She came here during the summer of 1884.
Q Well now from 1884 to 1888 how often was she in the Indian Territory? A She came down there twice or three times a year.
Q What place did she spend her time durimg those years when she was not in the Indian Territory? A In Kansas, Johnson County, Kansas.
Q Had that been your former home? A It had, yes sir.
Q Did your father own a farm up ther e at that time? A Yes sir.
Q Do you know what was done with that farm, after he came, your father, to the Indian Territory? A Rented the farm out up there, it was rented out.
Q What was your father doing between the years 1883 and1888 in the Indian Territory? A He was there on the ranch with me.
Q Well, was he making improvements and farming? A Yes sir, he was making a place there, made our ranch there.
Q Did you subject any land to cultivation? A Yes sir.
Q Build any houses, fences, barnes, orchards? A Build two houses and put in an orchard and broke out a couple of places.
Q And fenced them? A Yes sir.
Q Do you know why it was that your mother didn't reside during those years continuously with your father upon the ranch? A Why the greatest reason she stayedup there, especially in the winter time, was for the school purposes.
Q Did you keep house down here? A Yes sir, we had a housekeeper, there, while my mother was not there.
Q She was here part of the time and would go back with the children to Kansas? A Yes sir.
Q And in her absence you kept a housekeeper? A Yes sir.
BY MR. HASTINGS:
Q Your father andmother had a place in Johnson County Kansas? A Yes sir, they had 320 acres there.
Q They had livedup there up until 1883? A Yes sir.
Q Your father farmed there before that time, didn't he, or rent it? A We farmed it all ourselves before we came downhere.
Q Never did any renting up to that time? A No sir.
Q Yourhad some small children a t that time? A Yes sir, had mother nearly all of them were small; BY HASTINGS:
Q They remained up therein Kansas while your father was down here on the ranch? A Yes sir, all the time through the winter.
Q Mr. Shufeldt, yourmother came down here on a visit to see your father on theplace? A Yes sir, shecame down to see how we was getting along, and spend the summer with us.
Q About how long is the longest that you know that she was down there, a week or ten days; she stay as much as a week or ten days? A I think the longest she stayed was possibly two and a half or three months.
Q What was the customary length of time that she stayed? A Well not over a couple of months.
Q Come down once or twice a year would she? A Yes sir.
Q Leave the children up in Kansas? A There was once or twice that she brought some of them with her.
Q She didn't always stay as long as two months when she would come down did she? A I believe pretty well always.

Q You remember how long she staysdin 1884 when she came down? A I think she stayed biggest part of the summer in 1884.
Q How about in 1885? A I could not say in 1885, as to how long she did stay.
Q You remember in 1886? A I believe that she stayed quite a while in 1886. I believe my sister was married in 1886 and I think she stayed a good deal of the time that summer.
Q She came in the summer, did she? A Yes sir.
Q How about in 1887? A I couldn't tell you exactly how long she stayed .
Q She didn't remove her household effects our of her house up there? A No sir, not all of them, no sir.
Q When were they moved down to the Territory? A They moved the last of the household goods in 1888 I think,
Q That is when they brought the family and children, the smaller children down? A Yes sir.

BY MR. KEITH:

Q They had moved part of the household goods from time to time prior to 1888, had they? A Yes sir, we had moved part of it the household goods, and all of her stock too.
Q The first year you came down here, in 1883? A Yes sir.

BY COMMISSION: The attorney for the applicant and the representative of the Cherokee Nation present submit the case and same is ordered closed and reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant requests and will be granted ten days in which to file brief with the case, one copy with the Commission and one copy with the representative of the Cherokee Nation.

M.D.Green, hereby certifies that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is atrue and complete transcript of his stenographic notes thereof.

M D Green

$195.00/

Treasury Department,

CHEROKEE NATION.

Tahlequah, Ind. Ter. Sept 8th 1888.

Received of Percy Shufelt a Shawnee Indian the sum of One Hundred and Ninety Five Dollars, for and in Consideration of Citizenship in the Cherokee Nation, as per an Act of the National Council approved December 7th 1882.

Given under my hand and Seal of Office this the day and date above written.

R. B. Ross, D. D. S.
Treasurer Cherokee Nation.

Cherokee-D-601

AN ACT TO ADMIT Martha Shoefeldt and children, Laura Ann, John, Frank andd Percy Shoefeldt, and Minnie Chouteau to citizenship.

BE IT ENACTED BE THE NATIONAL COUNCIL

THAT Martha Shoefeldt and children Laura Ann, John, Frank, and Percy Shoefeldt, and also Minnie Chouteau, all Shawnee Indians by blood, be, and they are hereby, admitted to all the rights, privileges and immunities of other Shawnees residents in, and citizens of the Cherokee Nation, on the same conditions imposed by the agreement between the Cherokee Nation and the Shawnees, concluded June 7, 1869, and approved by the President, June 9, 1869.

PROVIDED: That the persons herein admitted shall pay to the treasurer of the Cherokee Nation the sum of One hundred and ninety-five dollars each, the same being the amount, per capita paid by the Shawnees now citizens of the Cherokee Nation, and provided further that the above amount shall be paid by each of said Shawnees before any rights shall accrue under this act.

Sec. 2 That H. C. Shoefeldt, a white man and father of the above named children shall be required to comply with the law of this nation, entitled "Intermarriage with wite men and foreigners before he shall be recognized as a citizen of this nation.

Approved Dec. 9, 1882 D. W. Bushyhead, Prin. Chief.

Executive Department
Tahlequah, Cher. Nation.
March 24, 1883.

This is to certify that the within is a true copy of the record of an act of the National Council admitting Martha Shoefeldt and family to Cherokee citizenship approved December 9, 1882.-

Of the record on file in this office.

John L. Adam
Asst. Secretary.

(SEAL)

I the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Martha A. Storey, Percy A., Zoe E., Benjamin C., Mariette and Markham W. Shoefeldt as citizens of the Cherokee Nation.

Muskogee, Indian Territory,
May 8, 1902

M. S. Kaufman

Cherokee-D- 601

TREASURY DEPARTMENT

CHEROKEE NATION.

Tahlequah, Ind. Ter. Sept.8,1888

Received of Percy Shufeldt a Shawnee Indian the sum of One Hundred and ninety-five dollars for and in consideration of citizenship in the Cherokee Nation as per an act of the National Council approved December 9th, 1882.

Given under my hand and Seal of Office this the day and date above written.

Robt B. Ross
Treasurer Cherokee Nation.

(SEAL)

TREASURY DEPARTMENT.

May 16th, 1883.

Received from H. C. Shufeldt One hundred and ninety-five Dollars same being due on the admission of Martha A. Shufeldt to citizenship per act of Council dated Dec. 9th, 1882.

$195.00

D. W. Lipe
Treasurer Cher. Nation

I the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing are true copies of the original offered in evidence in the matter of the application for enrollment of Martha A. Storey, Percy A., Zoe E., Benjamin C., Marietta and Markham W. Shufeldt as citizens of the Cherokee Nation.

Muskogee, Indian Territory,
May 9, 1902.

W. C. Kennamore

Cherokee D 601.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Martha A. Storey, Percy A., Zoe E., Benjamin C., Marietta and Markham W. Shufeldt as citizens of the Cherokee Nation of Shawnee blood.

D E C I S I O N.

The record in this case shows that on October 16, 1900, Martha A. Storey appeared before the Commission at Nowata, Indian Territory, and made personal application for the enrollment of herself and her five minor children Percy A., Zoe E., Benjamin C., Marietta and Markham W. Shufeldt as citizens of the Cherokee Nation of Shawnee blood. Further proceedings in the matter of said application were had at Muskogee, Indian Territory on March 5, 1902.

The evidence shows that the said Martha A. Storey and Percy A. Shufeldt were admitted to citizenship in the Cherokee Nation under an act of the Cherokee National Council approved on December 9, 1882, under the names respectively of Martha Shoefeldt and Percy A. Shoefeldt, with the condition embraced in said act that each of those so admitted pay to the Treasurer of the Cherokee Nation the sum of one hundred and ninety five dollars. It further appears that the amounts specified in said act were duly paid to the Treasurer of the Cherokee Nation on account of the said Martha A. Storey and Percy A. Shufeldt. It further appears that all the minor children for whom application is made herein except Percy A. were born since the admission of their mother to citizenship. All of those for whom application is made herein are identified on the 1896 Census roll of the Cherokee Nation.

It further appears that Martha A. Storey removed to the Cherokee Nation with her family in 1888; that they have continued to reside therein, and were residents of said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Martha A. Storey, Percy A. Shufeldt, Zoe E. Shufeldt, Benjamin C. Shufeldt, Marietta Shufeldt and Markham W. Shufeldt should be enrolled as citizens of the Cherokee Nation of Shawnee blood, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

DEPARTMENT OF
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 24 1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 13, 1902.

Mrs. Martha A. Storey,

Lenapah, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and five minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 5th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

CherokeeD-601
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

Cherokee D-[illegible]
Cherokee D-[illegible]

Muskogee, Indian Territory, March 22, 1902.

Mr. J. H. Keith,
Attorney at Law,
Coffeyville, Kansas,

Dear Sir:-

As requested in your letter of March 14, you a re hereby advised that the time for filing briefs in the applications for enrollment as citizens of the Cherokee Nation of Martha A. Storey et al, Cherokee D-601, and William Fister et al, Cherokee D-678, has been continued until April 5, 1902.

The testimony taken in these cases will be forwarded to you as soon as the same is transcribed.

Yours truly,

Commissioner in Charge.

COPY.

Cherokee D 601.

Muskogee, Indian Territory, September 29, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Martha A. Storey for the enrollment of herself and her five minor children, Percy A., Zoe E., Benjamin C., Marietta and Markham W. Shufeldt, as citizens of the Cherokee Nation of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 61.

COPY.

Cherokee D 631.

Muskogee, Indian Territory, October 29, 1902.

J. H. Keith,

Attorney for Martha A. Storey et al,

Coffeyville, Kansas.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Martha A. Storey for the enrollment of herself and her five minor children, Percy A., Zoe B., Benjamin C., Marietta and Markham W. Shufeldt, as citizens of the Cherokee Nation of Shawnee blood.

Respectfully,

Acting Chairman.

Register.

Enclosure M. No. 96.

COPY.

Enrollment E [illegible]

Muskogee, Indian Territory, October 29, 1902.

Martha A. Storey,

Lenapah, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself and your five minor children, Percy A., Zoe E., Benjamin C., Marietta and Markham W. Schofield, as citizens of the Cherokee Nation of Shawnee blood.

Respectfully,

[illegible]

Acting Chairman.

Register.

Enclosure E. No. 95.

C O P Y.

Muskogee, Indian Territory, August 9, 1906.

The Honorable,

The Secretary of the Interior,

Sir:

Referring to Departmental letters of May 31, 1906 (I.T.D. 6186-1905), June 1, 1905 (I.T.D. 4240-1905), October 4, 1905 (I.T.D.18288-1905), and January 12, 1906 (I.T.D. 110-1906), relative to striking from the approved roll of citizens of the Cherokee Nation the names of 284 persons who are shown to have died prior to September 1, 1902, there are enclosed herewith affidavits as to the death of certain of said persons. The number of the enrollment card on which these persons are listed, the number opposite which they appear on the approved partial roll of Cherokee citizens and their names are as follows:

Cherokees by blood.

Card No.	Roll No.	Name.
1815	4503	Robert Pettit
3922	7284	Eliza A. Smith
3927	7307	Josiia Scaggs
3931	9463	Sarah A. Rowe
4300	10128	Hugh Edward Byrd
4301	10129	Rena Ladd
4319	84467	Thomas Daniels
4330	10170	Agnes Hendlock
4337	10280	Jessie L. Jordan

Card No.	Roll No.	Name.
4241	10322	Eva L. Johnson
4268	10350	Joseph K. Bennett
4282	10438	Mary Odell
4284	10443	Betsy Tucker
4296	10491	Ronald Francis Wells
4404	10536	Joseph D. Hamil
4434	10618	Lula M. McCalib
4472	10719	Dora Pate
4474	10726	Lydia S. Thomas
4474	10727	Mary Thomas
4567	10956	William R. Martin
4612	11038	Floyd Wall Ross
9777	21969	Marietta Mumford
10521	21237	Minnie McCarthy
10521	21948	Stella Tixier

Cherokee Freedmen.

Card No.	Roll No.	Name.
662	2950	Sarah Whitmire
898	3167	Lucian Downing
978	2377	Nancy Taylor

The Department's instructions of June 1, 1906 (I.T.D. 6240-1906), and October 4, 1906 (I.T.D. 12226-1906), as to the proceedings to be taken with reference to these persons have been complied with. Notice, under date of March 1, 1906, of the information received as to the date of the death of the above named persons, was given by publication for four consecutive issues in "The Cherokee Advocate" and "The Muskogee Advertiser", both weekly newspapers of general circulation, the former published in the Cherokee Nation at Tahlequah, Indian Territory, and the latter published at Muskogee, Indian Territory, in the Recording District in which the above named

persons are shown to have resided at the time of their death. The first issue of this publication in "The Cherokee Advocate" was on March 3, and the first issue in "The Muskogee Advertiser" was on March 2, 1906. Attention was called to Section 21, of the Act of Congress approved July 1, 1902 (32 Stat., 716), and notice given to the heirs of the persons named, the administrators of their estates, or any other person having any interest in the estates of the decedents, that the Commissioner would, at the expiration of sixty days from the date of the notice, recommend to the Secretary of the Interior the cancellation of the enrollment of said persons as citizens of the Cherokee Nation, unless conclusive evidence was presented to the effect that said persons were living on September 1, 1902.

In addition to this notice a letter was on May 1, 1906, addressed to each of the above named persons, or his heirs, at his last known post-office advising the information received, the law with reference to the making of the roll of citizens of the Cherokee nation, and that unless conclusive evidence was presented within thirty days from date to the effect that the decedent was living September 1, 1902, the Commissioner would recommend to the Secretary of the Interior the cancellation of the enrollment of said person as a citizen of the Cherokee nation.

No information having been received that any one of the above named persons was living September 1, 1902, it is respectfully recommended that their names be stricken from the approved partial rolls of citizens and freedmen of the Cherokee Nation in the possession of the Department and the Commissioner of Indian Affairs that this office be authorized to strike their names from the copies of the approved partial rolls in its possession, and that the applications for their enrollment as citizens of the Cherokee Nation be dismissed.

Respectfully,

Encl.H.J.#711.
H.J.C.

Commissioner.

Through the
Commissioner of Indian Affairs.

(COPY)

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

LAND
52510--1904.

COPY

August 22, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report from the Commissioner to the Five Civilized Tribes, dated August 8, 1906, forwarding affidavits as to the deaths of certain persons whose names appear on a partial roll of citizens and freedmen of the Cherokee Nation. Commissioner Kirby refers to Departmental letters of May 31, (I.T.D.6148-1905), June 1, (I.T.D. 6240-1905), October 4, (I.T.D.12228-1905), and January 18, (I.T.D.118-1906), relative to striking from the approved roll of citizens of the Cherokee Nation the names of 284 persons who are shown to have died prior to September 1, 1902.

Commissioner Kirby reports that the Department's instructions as to the proceedings to be taken with reference to these persons, have been complied with, and no information having been received that any of the persons enumerated in his report were living on September 1, 1902, he recommends that their names be stricken from the approved partial rolls of citizens and freedmen of the Cherokee Nation in the possession of the Department and this Office and that he be authorized

to strike their names from the copies of the approved partial rolls in his possession, and that the application for their enrollment as citizens of the Cherokee Nation be dismissed.

The affidavits have been examined in this office, and are transmitted herewith, the office concurring in the Commissioner's recommendation.

Very respectfully,

W. H. Leupp,

GTG-LG.

Commissioner.

D.C.37301 (COPY)

DEPARTMENT OF THE INTERIOR [illegible],
WASHINGTON.

I.T.D.14713-1906. August 29, 1906.

L.L.S.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

August 8, 1906, you forwarded affidavits as to the deaths of 27 persons whose names appear on the approved rolls of citizens of the Cherokee Nation, and recommended that their names be stricken from theapproved rolls of citizens and freedmen of the Cherokee Nation in the possession of the Department and the Indian Office, and that you be authorized to strike their names from the copies of the approved rolls in your possession, you having complied with departmental instructions as to the proceedings to be taken with reference to these persons.

Reporting August 23, 1906, the Indian Office concurs in your recommendation. A copy of its letter is inclosed.

The Department also concurs, and you are authorized to strike the names of said persons from the copies of the approved rolls in your possession, as follows:

(Cherokee by blood)

Roll No.	Name.
4903	Robert Pettit
7326	Eliza A. Smith
7327	Joella Scaggs
9483	Sarah A. Rowe
10124	Hugh Edward Ayre

Cherokee by blood.

Roll No.	Name.
10135	Nancy Ladd
24467	Thomas Daniels
10179	Agnes Faulkner
10180	Jessie L. Jordan
10212	Eva L. Johnson
10209	Joseph H. Bennett
10435	Mary Odell
10445	Betsy Tucker
10503	Mammie Francis Wells
10526	Joseph D. Hamil
10615	Lula M. McCaleb
10719	Dora Pate
10726	Lydia G. Thomas
10727	Mary Thomas
10864	William B. Martin
11038	Floyd Mc D Ross
11049	Harietta Canfield
11257	Minnie McCartlin
11343	Stella Binder

Cherokee Freedmen.

Roll No.	Name.
2078	Sarah Whitmire
2167	Lucian Downing
2277	Nancy Taylor.

Respectfully,

Jesse E. Wilson

Assistant Secretary.

1 enclosure.

Cherokee
9777.

Muskogee, Indian Territory, October 4, 1906.

Martha A. Storey,

Lenapah, Indian Territory.

Dear Madam:

In connection with the application for the enrollment as a citizen of the Cherokee Nation of your daughter, Marietea Shufeldt, who is shown to have died prior to September 1, 1902, you are advised that her name was stricken from the approved roll of citizens of the Cherokee Nation and the application for her enrollment dismissed by the Secretary of the Interior August 29, 1906.

Respectfully,

Commissioner.

LMC

Cher 9778
Annie L. Frakes

Cher 9778

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T., October 18, 1900.

In the matter of the application of Annie L. Frakes for the enrollment of herself and child as Cherokees by blood; being sworn and examined by Commissioner Needles, she testified as follows:

Q What is your name? A Annie L. Frakes.
Q How old are you? A 25.
Q What is your post office address? A Talala.
Q What district do you live in? A Cooweescoowee.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q What degree of blood do you claim? A 1/32 I guess.
Q Who do you desire to enroll? A Myself and baby.
Q What is your father's name? A James Martin.
Q Is he living? A Yes, sir.
Q What is your mother's name? A Martha Martin.
Q She living? A No, sir, she is dead.
Q Are you married? A Yes, sir, but my husband is dead.
Q What was his name? A Henry Frakes.
Q He was a white man? A Yes, sir.
Q When were you married? A In 1897.
Q What is the name of the child? A Winnie M. Frakes.
Q How old is Winnie? A She is 2 years old.
Q Have you got proof of birth as to Winnie? A Yes, sir.
Q Are you on the roll of 1880? A I think so.
Q Where were you born? A I was born in the State of Texas.
Q How long did you live in this country? A I have been in this country seven or eight years.
Q Did you move here seven or eight years ago? A Yes, sir.
Q With your father's family? A Yes, sir.
Q Have you any certificate of admission to Cherokee citizenship?
A Yes, sir.

(Applicant presents a certified copy of an act of the Cherokee Council to readmit Patsy M. Martin and others to Cherokee citizenship, said act providing that none of the rights granted shall accrue to any of the persons named in said act until they remove to and locate in the Cherokee Nation. The act passed the Senate of the Cherokee Nation on the 26th of November, 1890, approved by J. B. Mayes, Principal Chief, December 4, 1890, certified to by J. T. Parks, executive secretary of the Cherokee Nation, under the seal of the Cherokee Nation.)

Q In this certificate that you present I find the name of Annie L. Martin; are you the identical Annie L. Martin mentioned in this certificate? A Yes, sir.
Q When did you remove into the Cherokee Nation? A About seven or eight years ago.
Q What year was that, about what year? A 1894 or 1895, I forget which.
Q You removed here in 1894 or 1895? A Yes, sir, I don't remember which.
Q What time in 1894, what was the [illegible] month? A October.
Q You moved here in October, 1894? A Yes, sir.
Q You been living here ever since October, 1894? A Yes, sir.
Q You been living here ever since October, 1894? A Yes, sir.
Q Are you certain that it was 1894 or 1895? A I believe it was 1895, it must have been.
Q It must have been 1895? A Yes, sir.
Q October, 1895, then? A Yes, sir.

(Annie L. Frakes on 1896 roll, page 221, No. 5458, Annie Martin, Cooweescoowee district.)

[illegible] from the census roll of

Annie L. Frakes - 2.

by her maiden name of Annie L. Martin. She avers that she was married to one Henry Frakes, a citizen of the United States, in the year 1887. The result of said marriage is one child named Winnie M., about two years of age, and she presents satisfactory proof of birth of said child Said applicant also presents certified copy of an act of the Cherokee Council readmitting her, among others, to Cherokee citizenship, said act being more fully described in the testimony, and averring that she was admitted to Cherokee citizenship on the 4th day of December, 1890. She also avers that she arrived in the Cherokee Nation in the month of October in the year 1895, having resided in the State of Texas all her life up to that time, and that since October 5, 1895, she has resided in the Cherokee Nation. The Act of the Cherokee Council approved December 4, 1894, provides that all persons who have been or may hereafter be readmitted to citizenship in the Cherokee Nation are hereby required to permanently locate within the limits of the Cherokee Nation within six months from the passage of this act, or ~~from~~ from the date of readmission, said act having been approved December 4, 1894. By the provisions of the Curtis Bill, which provides that persons who are actual residents of the Cherokee Nation on the 28th day of June, 1898, shall be entitled to enrollment. Because of the conflict between the two laws mentioned herein, final judgment as to the enrollment of the said Annie L. Frakes and her child Winnie M., will be suspended, and their names will be placed upon a doubtful card.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 17th of October, 1900.

Commissioner.

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date ..... 1900.

Name ..... Talala D. J.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Annie S. Drake nee Martin

District COOWEESCOOWEE. Year 1896 Page 221 No. 3152

Citizen by blood yes 1/32 Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

2 Minnie M Drake Dist. ..... Year ..... Page ..... No. ..... Age 2

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

1 m 1896 roll no Annie Martin
2 Birth Affidavit supplied

a 6b

a 3

DEPARTMENT OF THE INTERIOR
COMMISSION OF FINE ARTS

RECEIVED
OCT 16 2000

S U P P L E M E N T A L. D-215.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. October 17th 1900.

In the matter of the application of Annie Frakes for the enrollment of herself and child as Cherokee Citizens. SUPPLEMENTAL TESTIMONY

James A. Martin being duly sworn before the Commission testified:

Q What is your name? A. James A. Martin.
Q What is yo r age? A. 44.
Q What is your post office address? A. Talala, I. T.
Q Do you know Annie L. Frakes? A. Yes sir.
Q How does she spell her name? A. Frakes.
Q What relation are you to her? A. She is my daughter.
Q When did she a rive in the Indian Territory? A. October, 20th 1894.
Q She stated yesterday that she arried here in 1895. A She was mistaken about that for I brought her here myself.
Q Are you certain that this was the date? A. Yes sir
Q What makes you certain? A. I brought her here myself.
Q What brings it to your mind that it was in 1894 instead of 1895?
A. From the simple fact that it is a fact.
Q Did you keep a record of the date? A. No sir I have no record.
Q She is your daughter? A. Yes sir.
Q Was she married when you brought her here? A. No sir.
Q You brought her here with the balance of your family? A. Yes sir.
Q Where did you come from? A. Kilgore, Texas.
Q Was she born and raised in the state of Texas? A. Yes sir.
Q Is there anything else that you want to state about this? A, No sir except that there is a child.
Q Well it was born since she came into this country? A. Yes sir.
Q Your daughter was mistaken then when she stated that she came here in 1895? A. Yes sir, it can be proved by other persons.

Chas. von Weise being duly sworn states that he stenographer to the Commissionto the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause and that the foregoing is a full, true and correct transcript of his stenographic notes of said proceedings.

Chas von Weise

Subscribed and sworn to before me this the 17th of October, 1900.

Commissioner.

20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible]

to be a citizen of the

[illegible] Nation.

Approved OCT 16 1900 190

[signature]

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 17 1900

[signature]

ACTING CHAIRMAN

Dawes Roll 615

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Minnie M Drakes, born on the 3 day of May, 1898
(Here insert name of child.)

Name of Father: Henry S Drakes, a citizen of the Cherokee Nation.

Name of Mother: Anna L Drakes, a citizen of the Cherokee Nation.

Post-office, Salala Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } ss.
Illinois District. }

I, Anna L Drakes, on oath state that I am twenty four 24 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Henry S Drakes, who is a citizen, by —, of the Cherokee Nation; that a Female child was born to me on the 3 day of May 1898; that said child has been named Minnie M Drakes, and is now living.
(male or female)

Anna L Drakes

WITNESSES TO MARK:

(Must be Two Witnesses.) { Chas Edwin Crawford.
Joe McDowell

Subscribed and sworn to before me this 16 day of October 1900.

My Com expires March 16 1901

G N Crain
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } ss.
Illinois District. }

I, E H Bare, a Physician on oath state that I attended on Mrs. Minnie Drakes, wife of Henry S Drakes on the 3rd day of May, 1898; that there was born to her on said date a Female child; that said child is now living and is said to have been
(male or female)
named Minnie M Drakes.

E H Bare M.D.

WITNESSES TO MARK:

(Must be Two Witnesses.) { Joe McDowell
[illegible]

Subscribed and sworn to before me this 16 day of October 1900.

My Com Exp March 16 1901

G N Crain
NOTARY PUBLIC.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee I T 3/4/02

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Lucinda L Fraker et al for enrollment as ~~Freedmen~~ Citizens of the Cherokee Nation.

No. 10615

Melvetta Smith
Atty's

FILED
MAR 4 1902

An Act to readmit Patsey M. Martin and others to Cherokee Citizenship.

Be it enacted by the National Council, that Patsey M. Martin, her children and grand children be and they are hereby re-admitted to all the rights and privileges of Cherokee citizenship by virtue of Cherokee blood, viz;

William P. Martin	age	35 years.
James A. "	"	34 "
Joseph F. "	"	31 "
John M. "	"	27 "
George A. "	"	25 "
Frank B. "	"	24 "
Isabella C. Martin	"	30 "
Thomas "	"	14 "

Grand Children.

Annie L. Martin	Age	14 years
Thomas A. "	"	12 "
Ola "	"	8 "
Lela E. "	"	6 "
William E. "	"	4 "
Josephine J. "	"	2 "
Pearl "	"	1o "
Mary Browning "	"	6 "
Avis R. "	"	2 "
Robert L. "	"	6 mos.

Be it further enacted that John Brumfield be and he is hereby readmitted to all the rights and privileges of Cherokee citizenship by virtue of Cherokee blood;

[illegible] by readmitted to all the rights and privileges of Cherokee citizenship by virtue of Cherokee blood. Provided, that none of the rights hereby granted shall accrue to any of the persons herein named until they re-move and permanently locate in the Cherokee Nation.

Passed the Senate Nov. 24th, 1880

L.F. Hall
President of Senate.

Attest:
Clerk of Senate.

Concurred in by Council Dec. 1st, 1880

Wm. P. Ross
Clerk Council

Wm. H. Parker
Speaker Council.

John M. " ---------- " 27 "

George A. " ---------- " 25 "

Frank B. " ---------- " 24 "

Isabella C. Martin ---------- " 20 "

Thomas " ---------- " 14 "

Grand Children.

Annie L. Martin----------Age 14 years

Thomas A. " ---------- " 12 "

Ola " ---------- " 8 "

Lela E. " ---------- " 6 "

William E. " ---------- " 4 "

Josephine J. " ---------- " 2 "

Pearl " ---------- " 1m "

Mary Browning " ---------- " 6 "

Avis R. " ---------- " 2 "

Robert L. " ---------- " 6 mos.

Be it further enacted that John Brassfield he and he is hereby readmitted to all the rights and privileges of Cherokee citizenship by virtue of Cherokee blood;

and , Be it further enacted that John R.M. Daugherty he and he is hereby readmitted to all the rights and privileges of Cherokee citizenship by virtue of Cherokee blood.

Provided, that none of the rights herein granted shall accrue to any of the persons herein named until they remove and permanently locate in the Cherokee Nation.

Passed the Senate Nov. 26th. 1890
A.F. Norwood
Clerk of Senate.

L.F. Bell
President of Senate.

Concurred in by Council Dec.1st. 1890
Wm. P. Thompson
Clerk Council

Wm. F. Parker
Speaker Council.

Executive Department, Cherokee Nation

February 24, 1902.

I, J.F. Parks, hereby certify that I am custodian of the records of this office, and that the foregoing is a true and literal copy of the Act of the National Council entitled; " An Act to readmit Patsey E. Martin and others to Cherokee citizenship", as appears of record in this office.

In testimony whereof I hereunto set my hand and affix the seal of the Cherokee Nation the day and years first above written.

J.F. Parks
Executive Secretary.

RECEIVED
MAR 9 1903
COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR

Supl.-C.D.#615.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 4, 1902.

SUPPLEMENTAL in the matter of the enrollment of ANNIE FRAKES, ET AL., as citizens of the Cherokee Nation:

The applicant was notified by registered letter February 15, 1902, that her application for the enrollment of herself and child as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 5th day of March, 1902a. Receipt has been acknowledged of Commission's letter, and the applicant this day, to-wit: the 4th day of February, 1902, appears by her attorneys Mellette & Smith, Vinita, Indian Territoy. By agreement with the representative of the Cherokee Nation present the case is taken up for final consideration.

Mr. W. W. Hastings, Cherokee Representative, present.

Mr. Mellette: The applicant desires to file a certified copy of their readmission to citizenship, and to call attention to the fact that the certificate provides that those admitted in this certificate shall gain no rights until they permanently locate in the Cherokee Nation, without fixing any dates for the location in the Cherokee Nation.

Mr. Hastings: The Cherokee Nation contests the right to enrollment of this applicant on the ground that they did not move here within the time specified by law.

Commission: The document offered in evidence will be filed. The attorney for the applicants and representative of the Cherokee Nation present submit the case and the same is ordered closed and reported to the Commission for final decision of the Commission based upon the evidence now of record.

The attorney for the applicants will be allowed 15 days in which to file a brief in this case, one copy with the Commission and one copy with the representatives of the Cherokee Nation.

---ooo000ooo---

I hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the proceedings had in this case on the above date , and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. Rosser
Stenographer.

Cherokee-2-699

An act to readmit Patsey W. Martin and others to Cherokee Citizenship.

Be it enacted by the National Council: That Patsey W. Martin, her children and grandchildren be and they are hereby readmitted to all the right and privileges of cherokee citizenship by virtue of Cherokee blood, viz:

William P. Martin	age 65	years
James A. "	" 34	"
Joseph "	" 31	"
John E. "	" 27	"
George A. "	" 26	"
Frank B. "	" 24	"
Isabella C. Martin	" 20	"
Thomas "	" 14	"
Grandchildren		
Annie L. Martin	" 14	"
Thomas A. "	" 12	"
Ola "	" 8	"
Lola F. "	" 6	"
William M. "	" 4	"
Josephine J. Martin	" 2	"
Pearl "	" 10	"
Mary Browning Martin	" 6	"
Avis M. "	" 3	"
Robert L. "	" 6 months	

Provided that none of the rights herein granted shall accrue to any of the persons herein named until they remove permanently locate in the Cherokee Nation.

Passed the Senate Nov. 26th, 1890

A. E. Norwood
Clerk of Senate

L. B. Bell
President of Senate.

Concurred in by the Council Dec. 1st, 1890:

Wm. P. Thompson
Clerk Council

Wm. W. Barker
Speaker Council

Approved Dec. 4th, 1890

J. M. Hayes, Prin. Chief.

Executive Department, Cherokee Nation,

I hereby certify that the above and foregoing is a true and correct copy of the laws shown by the records of this office readmitting Patsey W. Martin, children and grandchildren.

(SEAL) Given on this the 17th day of November 1892.

J. P. Parks,
Executive Secretary.

I the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence.

Muskogee, Indian Territory,
May 17, 1898.

M. S. R.

Cherokee-R- 615

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Annie L. Frakes and Winnie M. Frakes as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 16, 1900, Annie L. Frakes appeared before the Commission at Nowata, Indian Territory, and made personal application for the enrollment of herself and her minor child, Winnie M. Frakes, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Nowata, Indian Territory, on October 17, 1900, and at Muskogee, Indian Territory, on March 6, 1902.

The evidence shows that the said Annie L. Frakes was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said nation on December 4, 1890 under the name of Annie L. Martin; that she removed to and settled in the Cherokee Nation on October 20, 1894, and has continuously resided therein since that date. She is identified on the 1896 Census Roll of the Cherokee Nation.

The minor child, Winnie M. Frakes is too young to be upon any tribal roll of the Cherokee Nation, but she is duly identified by a birth affidavit filed with this Commission.

The evidence further shows that the said Annie L. Frakes and Winnie M. Frakes were residents of the Cherokee Nation at the date of the application herein.

It is , therefore, the opinion of this Commission that Annie L. Frakes and Winnie M. Frakes should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

Copy

Marriage License

U.S.A.
Ind. Ter.
North Dis. } ss

No 884

To any person authorized ~~to Solemnize~~ by Law to Solemnize Marriage Greeting

You are hereby Commanded to Solemnize the Rites & Institute the Banns of Matrimony between Mr W. L. Shimp of Talala I.T. aged 32 years & Mrs Anna Fortner of Talala in the Ind. Ter. aged 24 years according to Law & do you officially Sign & return this License to the parties therein Named

Witness my hand & Official Seal at Muskogee Ind. Ter. this 17 day of May 1902.

Seal

Chas A Davidson
Clerk U.S. Court

By P.M. Ford Dept

Certificate of Marriage

U.S.A.
Ind. Ter.
North Dist } ss

I T. B. Hall a Minister of the Gospel do hereby Certify that on the 28 day of May 1902 I did duly & according to law as Commanded in the Foregoing License Solemnize the Rites & pursuit the Banns of Matrimony between the parties therein Named.

Witness my hand this 28th day of May A.D. 1902

My Credentials are recorded in the Office of the Clerk of the United States Court Ind. Ter. North Dist. - Book B. Page 16

T. B. Hall
a Minister of the Gosp

FILED

Ind. T.

Indian Terry
Northern District } ss

I John E. Pendleton
a Notary Public in & for the
Northern District Ind. Ter.
do Certify that is is a
true copy of the
Marriage License
W. L. Shinn to Mrs Anna Brooks.
as shown to me this
11 day of May 1908

John E. Pendleton
Notary Public
My Commission Expires
Dec 21 1908

Certificate of Record

U.S.A.
Indian
Northern Dist } ss. I Chas A Davidson
Clerk of the U.S. Court in the Northern
Dist of Indian Terry do hereby Certify
that the instrument hereto attached was
filed for record in my office on the 4th day
of June 1908 at 9 a-m & duly recorded in
Book M. Marriage Record Page 475 Muskogee
within my land & seal of said Court at Muskogee
in said Terry the 4th day of June 1908

Chas. A. Davidson
Clerk

Copy

Marriage License

U.S.A.
Ind Ter
North Dist 55 No 884

To any person authorized to Solemnize Marriage Greeting-

You are hereby Commanded to Solemnize the Rite & perform the Banns of Matrimony between Mr W. L. Shimp of Talala IT aged 32 years & Mrs Anna Fortner of Talala in the Ind Ter aged 24 years according to Law & do you officially sign & return this license to the parties therein named

Witness my hand & official Seal at Muskogee Ind Ter this 17 day of May 1902.

Seal

Chas A Davidson
Clerk U.S. Court

By P. M. Ford Deputy

Certificate of Marriage

U.S.A.
Ind Ty
North Dist 55 I T. B. Hall a Minister of the Gospel do hereby certify that on the 28 day of May 1902 I did duly & according to Law as commanded in the foregoing License Solemnize the Rite & perform the Banns of Matrimony between the parties therein named.

Witness my hand this 28th day of May 1902

My Credentials are recorded in the Office of the Clerk of the United States Court Ind Ter North Dist - Book B. Page 16

T. B. Hall
a Minister of the Gospel

FILED

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 13, 1902.

Mrs. Annie L. Frakes,

Talala, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and one minor child

for enrollment as citizen[s] of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

5th day of March, 1902,

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certified copy of act of admission.

Yours truly,

Cherokee D-618
Register.

Acting Chairman.
Commissioner in Charge.

E

D615

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

ACTING CHAIRMAN

Muskogee, Indian Territory, May 16, 1902.

Hon. J. T. Parks,
Executive Secretary Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is on file with the Commission to the Five Civilized Tribes a copy of an act entitled "An Act to re-admit Betsy M. Martin and others to Cherokee citizenship", certified to by you on the 24th day of February, 1902, as a true copy of the original.

This copy shows that the act was concurred in by the Council upon December 1, 1890, but fails to show that the same was ever approved by the Principal Chief of the Cherokee Nation, or that it ever became a law without his approval as provided by the Cherokee Constitution. We will thank you to furnish us with a certified copy of this act showing either that the same was approved, and the date of approval by the Principal Chief, or that it became a law without his approval as provided in the Cherokee Constitution.

Trusting you will favor us with an early reply, We Remain,

Yours truly,

Acting Chairman.

COPY.

Cherokee D 615.

Muskogee, Indian Territory, October 28, 1902.

Annie L. Frakes,

Talala, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of yourself and your minor child, Winnie M. Frakes, as citizens by blood of the Cherokee Nation.

Respectfully,

Willis Blair

Acting Chairman.

Register.

Enclosure H. No. 97.

Cherokee D 617.

Muskogee, Indian Territory, September 20, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Annie L. Drake for the enrollment of herself and her minor child, Winnie M. Drake, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. D. No. 43.

COPY.

Cherokee D 416.

Muskogee, Indian Territory, October 28, 1903.

Edgar Smith,

Attorney for Annie L. Frakes et al.

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1903, granting the application of Annie L. Frakes for the enrollment of herself and her minor child, Winnie M. Frakes, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Register.

Enclosure H. No. 98.

Cher 9779
George W. Riley

Cher 9779

Department of the Interior
Commission to the Five Civilized Tribes,
Nowata, I. T., October 17, 1900.

In the matter of the application of George W. Riley for the enrollment of himself as a Cherokee citizen, being sworn and examined by Commission or Needles he testified as follows:

Q What is your name, A George W. Riley.
Q What is your age? A 22
Q What is your post-office? A Nowata.
Q In what district do you live, A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation by blood?
A Yes sir.
Q What degree of blood do you claim? A 16th.
Q Cherokee? A Yes sir.
Q For whom do you apply for enrolment, A Just myself.
Q What is your father's name, A Samuel K. Riley.
Q Is he living, A No sir
Q What is your mother's name, A Sallie Riley.
Q Is she living A No sir
Q Have you always resided in the Cherokee Nation? A Yes sir.
Q Live there now, A Yes sir
188 0 rollexamined for applicant and name not found;
1896 roll page 257 #3879 George Riley Coowescoowee District; native Cherokee, 22 years old.
1896 roll page 284 #3590 Geo. W. Riley Coweescoowee Dist.
Q Have you always lived in the Cherokee Nation? A Yes sir
Q Born here? A Yes sir.
Q Your parents are both dead? A Yes sir.

Com'r Needles. The name of George W. Riley appears upon the census roll of 1896 as George Riley and upon the pay roll of 1894 as Geo. W. Riley, his name does not appear upon the authenticated roll of 1880; no positive testimony is introduced showing that he is entitled to the rights of Cherokee citizenship, consequently final judgment as to his enrollment will be suspended and his name will be placed upon a doubtful card.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 18th day of October 1900.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT. 17 1900 Nowata I.T. 1900.

Name George W Riley

District COOWEESCOOWEE. Year 1896 Page 14-37 No. 3879

Citizen by blood yes 1/16 Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

I'm 1896 roll as George Riley

3629 B Chu. 9779

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 17 1900

ACTING CHAIRMAN.

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T., October 16, 1900.

D. 832.

In the matter of the application of George W. Riley for enrollment as a Cherokee citizen.

Additional testimony.

Mary Roberts, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Mary Roberts.
Q What is your age? A 34.
Q What is your post office? A Nowata.
Q Do you know George W. Riley? A Yes, sir.
Q Do you know the reason why George W. Riley's name is not on the authenticated roll of 1880? A Yes, sir, mother died when he was four years old and uncle Blue Rider was the guardian for three of us, and Laura Johnson was guardian for him; that was a sister of ours.
Q Is he your brother? A Yes, sir, he is my brother and his name is in the bible with the rest of us.
Q The remainder of your family was on the roll of 1880? A Yes, sir, but we were at the Orphan asylum and he wasn't; he was only four years old.
Q Where was he? A He was up on Hickory Creek.
Q His father and mother were dead then? A Yes, sir, his other brothers and sisters were at the orphan asylum, three of us.
Q Was Mary? A Yes, sir, Mary Riley, John Riley, and Will Riley were at the Orphan Asylum, and George Riley was with this other married sister, and why they didn't put him on the roll I don't know..
Q There were three of you? A There was four of us with him.
Q Three of you were at the orphan asylum and were put on the roll?
A Yes, sir.
Q He wasn't with you at that time? A No, sir.
Q Was his mother a Cherokee by blood? A Yes, sir.
Q Was his father? A Yes, sir.
Q Was he born in the Cherokee Nation? A Yes, sir.
Q Who was he living with at that time? A He was living with my sister, Mrs. Johnson; she took out letters of guardianship.
Q Is she living? A No, sir, she is dead.

A. F. Johnson, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A A. F. Johnson.
Q What is your age? A 50.
Q What is your wife's name? A Laura S. Johnson.
Q Who was Louisa Johnson? A I don't know.
Q Have you enrolled here yet? A Not yet.
Q Do you know George W. Riley? A Yes, sir.
Q What relation are you to him? A None, except his brother in law.
Q Do you know the reason his name wasn't on the roll of 1880? A I think I do; we were living at that time with my mother in the same house, and they told him to call my mother his mother, and Dicks and Dick Duck came around and taken the census, and he called my mother his mother, and they thought he was a white boy because he called my mother, Mother, a white woman, when he was really a Cherokee. My wife told him he was a Cherokee, but they refused to put him on the roll, and we didn't get the pay at that time, but we got it afterwards from Tahlequah.
Q Was his mother a white woman? A No, sir, she was a Cherokee.
Q His father a white man? A No, sir, he was a Cherokee.
Q There wasn't a bit Cherokee in either one of them? A Both had Cherokee blood in them, passed for Cherokees.
Q He was living with you at that time? A He was living with us at that time.
Q You got yourself on the roll, [illegible]

George W. Riley - 2.

Q Your wife and [illegible]? A Yes, sir.
Q You didn't like [illegible] is this boy to put him out? A Yes sir, she told them [illegible] they were on, but they wouldn't put him on by reason he called her a [illegible], and they thought that we were trying to ring on a white boy on them.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Sworn to and subscribed before me this the 18th of October, 1900.

Commissioner.

Cherokee D 629

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of George W. Riley for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on October 17, 1900, George W. Riley appeared before the Commission at Nowata, Indian Territory, and then and there made application for his enrollment as a citizen by blood of the Cherokee Nation. On October 18, 1900, at Nowata, further evidence was submitted relative to this application.

The evidence in this case shows that George W. Riley is twenty-six years old. He is the son of Samuel K. and Sallie Riley, and it appears he was left an orphan when four years old. He is not identified upon the authenticated tribal roll of 1880, but his name appears upon the Strip payment roll of 1894, and the Cherokee Census roll of 1896, and he has resided in the Cherokee Nation all his life. His two brothers John and Will Riley and his sister Mary Riley are identified on the Orphan roll of 1880 as follows:

Mary Riley, page 27, No. 74, Saline District.

John Riley, page 27, No. 80, Saline District.

Will Riley, page 27, No. 81, Saline District.

The authority of the Commission herein is defined in Paragraph 1, Section 21, of the Act of Congress, June 28, 1898, (30 Stats., 495):

It is therefore the opinion of the Commission that George W. Riley is lawfully entitled to be enrolled as a member by blood

of the Cherokee tribe of Indians in Indian Territory and that his application for enrollment as such should be granted, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

J.J.B.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D-639.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 26, 1903.

George W. Riley,

Nowata, Indian Territory.

Dear Sir:

On the 17th day of October, 1900, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Cherokee Nation.

You were not identified on the 1880 authenticated tribal roll of the Cherokee Nation. Subsequently, on October 18, 1900, A. F. Johnson appeared and testified that he was your brother-in-law and that enrollment was refused you at the time of the making of the 1880 authenticated tribal roll. He further testified that payment was made afterwards on your account, at Tahlequah, presumably by act of the council.

You are required to file with this Commission official evidence authorizing the payment to you of your distributive share of moneys paid by the Cherokee Nation for the year 1880.

You will be allowed until the 15th day of March, 1903, to comply with this requirement.

Yours truly,

[illegible]

Commissioner in Charge.

This man is represented by Thompson, Linton & J.

3/15/09. Mr. Thompson this day appears and states that he has not yet been able to secure the deed of Donnell requested. He has been allowed additional time to produce same. Has been given to March 24, 1909

E. R. Custer, Folk in Charge.

FILED
MAR 13 1909

D629

Prot

COPY.

Cherokee D 629.

Muskogee, Indian Territory, September 29, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of George W. Riley for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. C. No. 62.

COPY.

Cherokee D 529.

Muskogee, Indian Territory, October 28, 1908.

George W. Riley,

Nowata, Indian Territory,

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1908, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.

Acting Chairman.

Register.

Enclosure K. No. 99.

Encl 13

D 629

Cher 9780
Ora Madden

Cher 9780

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., October 18, 1906.

In the matter of the application of James O. Smith for the enrollment of himself, wife, children and nephew, Ora Madden, as Cherokee citizens; being sworn and examined by Commissioner Breckinridge he testified as follows:

Q Give me your full name? A James O. Smith.
Q How old are you? A 30.
Q What is your postoffice? A Coffeyville, Kansas.
Q You live in Goweseeskowee District? A Yes, sir.
Q Who is it you want to enroll? A Myself, wife and two children and a nephew.
Q That nephew an orphan? A Yes, sir.
Q Are you a Cherokee by blood? A Yes, sir.
Q What is your wife? A White woman.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Give me the name of your father? A James O. Smith.
Q Is he dead? A Yes, sir.
Q Give me the name of your mother? A Martha Jane.
Q Is she dead? A Yes, sir.
Q Give me the name of your wife? A Belle Smith.
Q How old is she? A 30.
Q When did you marry her? A 1895.
Q What time in 1895? A 23rd of January.
Q Have you a certificate of your marriage? A No, sir, I lost the certificate.
Q Have you got anybody here who knows you were married in the winter of 1895? A I have a letter from the clerk, Le May, who married me.
Q Were you ever married until you married this woman? A No, sir.
Q Was she ever married except to you? A No, sir.
Q Has she lived with you ever since she married you? A Yes, sir.
Q All the time in the Cherokee Nation? A Yes, sir.
Q Give me the names of your two children? A Olm J., 4 years old.
Q Give me the name of the next child? A Shelly K.
Q How old is that child? A About 22 months old.
Q Have you got a certificate of birth for that child? A Yes, sir. (Produces papers.)
Q Which children are both living now are they? A Yes, sir.
Q Give me the name of your nephew? A Ora Madden.
Q Is that the full name? A Yes, sir.
Q How old is he? A 10.
Q Is he an orphan? A Yes, sir.
Q Give me the name of his father? A Thomas Madden.
Q Is he dead or alive? A He is dead.
Q Was he a white man? A Yes, sir.
Q When did he die? A If young age.
Q Give me the name of this boy's mother? A Mary E. Blythe; that is her maiden name; she was never enrolled as a Madden.
Q Was she a Cherokee by blood? A Yes, sir.
Q Was she ever married to Madden? A Yes.
Q Who was her first husband? A Madden.
Q How long was she [illegible] A She died in 1894.
Q How old was she when she died? A I couldn't tell her age exactly, she would be, if she was living, somewhere in 40.
Q What was her name before Madden? A Mary, she was never enrolled only as a Blythe.
Q [illegible] Smith, Goweseeskowee, Saline District.
Q [illegible] A There [illegible] enrolled together,
Q [illegible] and have not found.

1896 roll, page 255, #4405, James O. Smith, Cooweescoowee Dist;
1896 roll, page 523, #991, Belle Smith, "
1896 roll, page 255, #4406, Ola J. Smith, " Six months old;
1896 roll examined for Ora Madden, and name not found.
1894 roll, page 136, #485, Ora Madden, Cooweescoowee.

GEORGE L. WALKER, being sworn and examined by Commissioner Breckinridge testified as follows:

Q Give your full name? A George L. Walker.
Q How old are you? A 28.
Q What is your postoffice? A Coffeyville, Kansas.
Q How long have you lived in the Cherokee Nation? A It will be 17 years next month.
Q Do you know the applicant here? A I do.
Q Do you know his wife? A ~~Xmxx~~ I do.
Q Is she related to you? A No, sir.
Q Were you present when she was married to him? A No, sir.
Q Did you know of their marriage at the time it took place?
A Yes, sir.
Q When were they married? A The fall of the Strip payment or during the winter following the payment.
Q What year was the strip payment made? A 1894.
Q It was the fall of 1894 or the winter of 1895 then was it?
A Yes, sir.
Q They have lived together ever since as husband and wife, ever since, have they? A Yes, sir.

Com'r Breckinridge: The applicant applies for the enrollment of himself, his wife and two children; he is identified on the rollsof 1880 and 1896 as a native Cherokee; he has lived in the Cherokee Nation all his life and he will be listed now for enrollment as a Cherokee by blood.

His wife is shown to have married him in January, 1895; neither of them were previously married; she has lived with him ever since her marriage, and is identified on the roll of 1896, and she will be listed now for enrollment as a Cherokee by adoption; the older child, Ola J., is identified with her parents on the roll of 1896; she is living now and will be listed for enrollment as a Cherokee by blood; when the applicant files certificate of marriage of his youngest child, Shelly K., this child also will be listed for enrollment as a Cherokee by blood.

As for his nephew, Ora Madden, he is said to be 18 years of age, too young to be on the roll of 1880, but he is not identified on the roll of 1896; he is identified on the roll of 1894, his mother, who is said to have been dead some five years since, is not identified on the roll of 1880; the application for the enrollment of Ora Madden will be placed upon a doubtful card, to await more satisfactory identification of his mother, who is said to have been a Cherokee byblood.

M. D. Green, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) M. D. Green.

Subscribed and sworn to before me this 19th day of October, 1900.

(Signed) C. R. Breckinridge,
Commissioner.

Arthur A. Geesinger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the

foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur L. Kraemmer

Subscribed and sworn to before me this 27th day of December, 1961.

Commissioner.

RECEIVED
JAN 5 1962
FBI - SF

foregoing copy, and that the same is a true and complete copy of the original transcript.

Subscribed and sworn to before me this 27th day of December, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 3 1902
ACTING CHAIRMAN


OCT 18

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 18 1900 1900.

Name Ora Madden Coffeyville I.T.

District COOWEESCOOWEE. Year 1894 Page 136 No. 463

Citizen by blood Yes Mother's citizenship Thos. Madden - w - d

Intermarried citizen No Mary " - c - d

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Mother cannot be identified on 1880 Roll

"R"

Cherokee D-642.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 11,1902.

SUPPLEMENTAL TESTIMONY ON BEHALF OF APPLICANT in the matter of the application of Ora Madden for enrollment as a Cherokee by blood.

Appearances:
W.W.Hastings, of attorneys for the Cherokee Nation.

SHELLY KEY, being first duly sworn, and being examined by the Commission, testified as follows:
Q What is your name? A Shelly Key.
Q How old are you? A 47 years old
Q What is your post-office? A Coffeyville, Kansas.
Q Do you desire to make a statement relative to the enrollment of Ora Madden? A Yes sir.
Q Just make the statement, please? A All right; Well, Ora Madden should have been,- his mother should have been on the 1880 roll, Mary Blythe, and you will find her on the 1880 roll, yes.
Q Was the mother of Ora Madden ever married before she married the applicant's father, Thomas Madden? A I don't think she did.
Q What was the maiden name of Ora Madden's mother? A Blythe.
Q What was her father's name? A Blythe, I suppose, was her father; I couldn't tell you, I don't know back that far.
Q Did youknow her before she married Thomas Madden? A Yes sir.
Q Was she then going by the name of Mary Blythe? A Yes sir.
Q Was she a Cherokee? A Yes sir.
Q Is she living or dead? A She is dead.
Q Did this Mary Blythe always live in Cooweescoowee District? A No sir, not always.
Q Where was she living when the roll of 1880 was made? A She was living in Cooweescoowee District.
BY MR. HASTINGS:
Q You know that this child was afterwards born to the Mary Blythe that you knew? A Yes sir, this Ora Madden.
Q You believe that Mary Blythe to be the one thatis found on the roll? A I believe that to be the Mary Blythe, I am not positive, but I know that to be this boy; I have knowed him from his birth up.
Q Did you ever know any other Mary Blythe? A No sir.
Q How long has she been dead? A Well she is on the '80 roll, she died about; let's see, I moved up on the Kansas line in '87, and she has been dead 15 or 16 years to the best of my knowledge, that is the Mary Blythe.

1880 authenticated roll of citizens of the Cherokee Nation examined and Mary Blythe identified on page 70 No. 300 Mary Bly, Cooweescoowee District,native Cherokee
1896 census roll of citizens of the Cherokee Nation examined and applicant Ora Madden identifiedon page 228 No. 3576 Maddin, Ora, Cooweescoowee District, 15 years old.

BY COMMISSION: This testimony will be filed and made a part of the record in Cherokee case No. D-642.

M.D.Green,being first duly sworn,states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this February 15, 1902.

Deputy Clerk.

Supl.-C.D.#642.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T.; March 20, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of ORA MADDEN as a citizen of the Cherokee Nation, introduced on part of applicant:

Appearances:
J. H. Keith, Coffeyville, Kans., Atty. for Applicant;
W. W. Hastings, Cherokee Representative.

Case continued from March 6, 1902, to March 20, 1902.

SUPPLEMENTAL TESTIMONY in behalf of applicants:
JAMES O. SMITH, being duly sworn, testified as follows on part of applicants:
MR. KEITH:

Q Please state your name, age and place of residence? A James O. Smith, 22 years old, I live about five miles southeast of Coffeyville on the east side of the Verdigris river.
Q What is your nationality, Mr. Smith? A Cherokee.
Q By blood or adoption? A By blood.
Q Are you on the authenticated rolls of Cherokee Nation?
A Yes, sir.
Q What relation do you sustain to the applicant, Ora Madden?
A Uncle.
Q Was his mother your suster? A His mother was a half sister of mine.
Q By the same father or same mother? A By the same mother.
Q What was your mother's nationality? A Cherokee by blood.
Q Where did she reside? A In Cooweescoowee district, Cherokee Nation.
Q What was the applicant's mother's name? A Ora Madden's?
Q Mother's name? A Mary E. Bly.
Q She is dead is she? A Yes, sir.
Q How long has she been dead? A Well, let's see, she has been dead six years lat August, I believe.
Q Since that time you have been the guardian of your nephew?
A Yes, sir.
Q Do you know under What name your sister was enrolled on the citizenship rolls of the Cherokee Nation? A Mary E. Bly.
COMMISSION:
Q What district did your sister live in? A Cooweescoowee district
Q About how old would she be if she were living now?
A I don't know exactly; she would be somewhere in 40.
Q What was her father's name? A Riley Bly.
Q Was he dead when the roll of 1880 was made?
A Yes, sir.
Q What was her mother's name? A Martha J. would have been her name.
Q Was she dead when that roll was made? A Yes, sir.
Q Was your sister married when the roll of 1880 was made?
A Yes, sir.
Q To whom was she married at that time? A Madden.
Q Are you sure about that? A Yes, sir; I but she was enrolled by her maiden name.
Q Was Madden a white man? A Yes, sir.
Q Did you ever know of any other Mary Bly living up in that country?

A No, sir, I never did.

MR. HASTINGS:

Q You say she was married to Madden before the 1880 roll was made?
A Yes, sir.
Q Did she have any children? A No, sir.
Q What is her oldest child's name? A This Ora i s the oldest child; he was born in '80, I don't know, of course; I expect the roll was made before he was born; he was born on the 26th of December, 1880.
Q You say she is a full sister of yours? A No, sir, she isa half sister.
Q Was your father a Cherokee? A No, sir; my father was a white man.
Q You got your Cherokee blood through your mother? A Yes, sir
Q Are you on the 1880 roll? A Yes, sir.
Q Was your sister's father a white man or Cherokee? A Yes, my sister's father was Cherokee.
Q She got her Cherokee blood through both her father and mother?
A Yes, sir
Q You don't know what year she was married to this man Madden?
A No, I don't know as I remember.
Q Well, did they continue to live together after their marriage?
A Yes, sir.
Q Untile her death? A Until his death.
Q When did he die? A He died in 1888? I think; I would not be right sure but I think it was in April, '89.
Q You know where your sister was born? A No, I do not.
Q She was older than you? A Yes, sir.
Q What is your family history about that? A Well, of course I can't tell very much of a history because-
Q What do your folks say? A I don't know very much about it; my mother died when I was very small and of course it has always been taught to me that she was born in the Cherokee Nation.
Q Where were you born? A I have always been taught that I was born in the Cherokee Nation.
Q When you were when you were five or six years of age? A I was here in the Cherokee Nation near Coffeyville.
Q Where was your sister, the mpther of this applicant?
A She was there.
Q And remained there until her death? A Yes, sir.
Q Was her citizenship ever questioned? A No, sir.
Q Did you know any other Mary Bly in that country? A No, sir.

1880 Roll of Cherokee citizens examined and name of applicant's mother found thereon, page 70, #300, Mart Bly, Cooweescoowee district, 20 years of age.

C. H. TAYLOR, being duly sworn, testified as follows on part of applicant:

MR. KEITH:

Q Please state your name, age and place of residence?
A C. H. Taylor.
Q Where do you live? A Live near Coffeyville, Kansas.
Q How long have you lived there? A I have lived off and on since '72.
Q You live in the Cherokee Nation? A Yes, sir.
Q Were you acquainted with Mary Bly? A Yes, sir.
Q Do you know what relation she sustained to Ora Madden? A She was Ora Madden's mother.
Q Do you know what her nativity was? A She was always recognized as a Cherokee.
Q By blood or adoption? A [illegible] by blood.

Q How long did you know her? A I have known her ever since '74.
Q Where did she reside in '74? A They moved right in below me on the next Section south.
Q In the Cherokee Nation? A Yes, sir.
Q Do you know where she resided after '74 until the time of her death? A Well, she resided there on that place.
Q You know that this boy is a son of that woman? A Yes, sir.
Q Was she the only Mary Bly you knew in that vicinity?
A Yes, sir, she was kinda demented.

MR. HASTINGS:

Q About how old would she be if she were living now?
A Oh, when she came there she was a little girl.
Q When was that? A In '74, she would have been six or seven years old; there was four children, one almost a baby.

MR. KEITH:

Q Do you know whether she was at her home when the 1880 roll was made or not? A Yes, sir, she was living I think they still lived on that place all the time; I k never know her living anywhere else.
Q She was married at that time to Madden? A No, sir. Not that I know of; I never knew of her ever being married to Madden ex but it was always that the child was Madden's child.
Q Well, they were living together in 1880? A Yes, sir.

MR. HASTINGS:

Q Then they weren't married? A I don't know anything about the marriage.

Commission: Attorney for applicand and representative of the Cherokee Nation present submit the case. The same will be deemed completed and reported to the Commission for final decision based upon the evidence now of record.

---000000---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson

R
Cher D 642

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 26, 1902.

In the matter of the application of ORA MADDEN, for the enrollment of herself as a citizen by blood of the Cherokee Nation:

JAMES O. SMITH, called as a witness, and being sworn and examined by the Commission, testified as follows:

Q What is your name ? A James O. Smith.
Q What is your post office address ? A Coffeyville, Kansas.
Q How long have you known Ora Madden ? A I have known her ever since she was a child; ever since he was born.
Q Where was he born ? A In the territory, about five miles south-east of Coffeyville.
Q In what Nation ? A The Cherokee Nation.
Q Where has he been living since his birth ? A He has been living the most of the time there at home or in the territory. He has been going to Coffeyville to school since 1899.
Q He has been attending school there continuously since that time ?
A That is through the fall and winter.
Q Where does he spend his summers ? A Part of the time in the summer at Coffeyville and part of the time at home with me, and p part of the time down in the Cherokee Nation.
Q How long did he live in the Nation after his birth ?
A He lived in the Nation continuously; he wasn't out of it at all until he was about ten.
Q How old was he when he left the Nation ?
A When he first started to go to school in the State at all, he was- well he was about ten years old.
Q Did he spend all the time prior to that in the Cherokee Nation ?
A Yes sir.
Q Has he ever been in any place in the State except Coffeyville, Kansas for the purpose of attending school ? A Yes sir he attended school some little at a place west of Coffeyville.
Q How far ? A About five miles west of Coffeyville.
Q Has he ever been out of the Cherokee Nation for any purpose other than attending school ? A No sir.

ORA MADDEN, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A Ora Madden.
Q How old are you ? Twenty one years of age.
Q What is your post office address ? A Coffeyville, Kansas.
Q Where were you born ? A In the Cherokee Nation, about five miles south-east of Coffeyville.
Q How long did you continue to live there after your birth ?
A I have lived there all my life.
Q How long did you continue to live there before you left the Territory for any purpose ? A About eleven years before I started to school.
Q Have you ever been out of the Territory for any purpose other than attending school ? A No sir.
Q Have you ever made your home outside the Nation ? A No sir.

Examined by Mr. Hastings:

Q Are you boarding up there at Coffeyville ? A Yes sir.

The Commission:

Q Where do you spend your vacations ?
A When school is out I come down and spend the time with my uncle until I get a job of work, and I stay with him until I get work, and then I work until school time, and then I start in school again.

E. C. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this June 30, 1902.

Notary Public.

2

The Commission:

Q. Where do you spend your vacations ?
A. When school is out I come down and spend the time with my uncle until I get a job of work, and I stay with him until I get work, and then I work until school time, and then I start in school again.

E. C. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell

Subscribed and sworn to before me this June 30, 1902.

Notary Public.

Cherokee D 642

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ora Madden as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 18, 1900, James O. Smith appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment, among others, of his nephew Ora Madden as a citizen by blood of the Cherokee Nation. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory on February 11, March 20 and June 26, 1902.

The evidence shows that Ora Madden is the child of Thomas Madden, a white man, and mary E. Blythe or Bly, a citizen by blood of the Cherokee Nation, who is duly identified on the authenticated tribal roll of 1880 as Mary Bly. Ora Madden was born to said Mary E. Blythe subsequent to the preparation of the tribal roll of 1880. He is identified on the Strip payment roll of 1894, and the Cherokee Census roll of 1896.

The evidence further shows that the said Ora Madden has resided in the Cherokee Nation all his life, except such times as he has been attending school.

It is, therefore, the opinion of this Commission that Ora Madden should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, I. T.

this 7th day of 1902

(COPY)

CERTIFICATE OF MARRIAGE

THIS CERTIFIES THAT Ora Madden of Coffeyville, Kansas and Myrtle Williams of Granada, Colorado, were united by me in HOLY MATRIMONY on the twenty-sixth day of November in the year of our LORD Nineteen Hundred and Two at Independence, Montgomery County, Kansas.

Witnesses _____

_____

M. B. Sauli
Probate Judge

Lola M. Champlin being duly sworn states that as stenographer to the Commissioner to the Five Civilized Tribes, she made the above copy and that the same is a true and correct copy of the original Certificate of Marriage.

Lola M. Champlin

Subscribed and sworn to before me this 15th day of Aug. 1906.

John E. Tidwell
Notary public

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Mr. James O. Smith,

Coffeyville, Kansas,

Sir:-

You are hereby notified that the application of Ora Madden

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the sixth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-642
Register.

Yours truly,

Acting Chairman

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

Cherokee D 242

Muskogee, Indian Territory, June 8, 1903.

Mr. James O. Smith,
Coffeyville, Kansas.

Dear Sir:

You are hereby notified to appear before this Commission at its office in Muskogee, Indian Territory, on or before June 15, 1903, and submit evidence with reference to residence in the Cherokee Nation of your nephew, Ora Madden. It will be necessary to show how long he has resided in the Cherokee Nation, and whether he was a resident therein at the time you made application for her enrollment.

Yours truly,

Acting Chairman.

Register.

COPY.

Cherokee D 642.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 25, 1902, granting the application of James O. Smith for the enrollment of his nephew, Ora Madden, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 42.

COPY.

Cherokee D 642.

Muskogee, Indian Territory, October 30, 1902.

James O. Smith,

Coffeyville, Kansas.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your nephew, Ora Madden, as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby
Acting Chairman.

Register.

Enclosure H. No. 82.

COPY

Cherokee D 442.

Muskogee, Indian Territory, October 30, 1902.

J. H. Keith,

Coffeyville, Kansas.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of James O. Smith for the enrollment of his nephew, Ora Maddan, as a citizen by blood of the Cherokee Nation.

Repsectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure H. No. 53.

3/1/1902

Received from the Commissioner to the Five Civilized Tribes a copy of the testimony in the

matter of the application of [illegible]

for enrollment as [illegible] of the Cherokee Nation.

Cherokee No. 7642 [illegible]

Cher 9781
Hugh Boyle

Cher 9781

SHAWNEE:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
NOWATA, I.T., OCTOBER 18th, 1900.

In the matter of the application of Hugh Boyl for enrollment as a citizen of the Cherokee Nation by Shawnee blood, said Boyl being sworn and examined by Commissioner C.R. Breckinridge, testified as follows:

Q Give me your full name? A Hugh Boyle.
Q How old are you? A About 38 years old.
Q What is your post office? A Lenapah.
Q Do you live in Cooweescoowee district? A Yes, sir.
Q Do you want to enroll yourself and family? A Just myself.
Q Are you Cherokee by blood? A Shawnee.
Q How long have you lived in the Cherokee Nation? A Raised here.
Q Lived here ever since the Shawnees come? A Yes, sir.
Q Been here about 32 years? A About it.
Q Give me the name of your father? A John Boyle.
Q Is he dead? A Yes, sir.
Q The name of your mother? A Catherine.
Q Is she dead? A Yes, sir, both dead.
1896 Cherokee-Shawnee Pay roll, page 6, #139, Hugh Boyl.
Q Have you lived continuously in the Cherokee Nation since you came here 32 years ago? A Pretty nearly all the time.
Q Where were you when you were not here? A Near Kansas City
Q What were you doing there? A Farming.
Q How long did you stay up there? A About two years I guess.
Q Did you rent land and work up there? A No, sir, working by the month for wages.
Q Have you had a family? A No, sir.
Q When was it you want up there? A I disremember whether it was '78 or '80.
Q How did it come that you did not get on the 1896 census roll? A I do not remember.
Q Where were you four years ago A I was living on our old place in Delaware district then.
Q Did you apply for re-admission to citizenship since you come back from Kansas? A No, sir, never have.
Q Did you move your household effects up there in Kansas? A No, sir.
Q Did you have any? A No, sir.
Q Did you apply for enrollment on the census roll of 1896? A I do not think I did.

Com'r Breckinridge:--The applicant is ~~identified by the pay roll~~ shown by the roll in the possession of the Cherokee Representative present to by on the last of Shawnees, who came to the Cherokee Nation 32 years ago. He states that he has lived in the Cherokee Nation ever since that time, except two years that he lived in Kansas near Kansas City, which was along about 1878 or 1880. He is identified on the Shawnee pay roll of 1896, but he is not identified on the authenticated roll of 1880 or the census roll of 1896 He states that he did not apply for re-admission to Cherokee citizenship after he came back from Kansas. His application for enrollment at this time will be placed upon a doubtful card for further consideration; he being classed as an adopted Shawnee.

---oooOOOooo---

J. O. Rossman, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rossman

Subscribed and sworn to before me this 19th day of October, 1900.

C. R. Breckinridge
Commissioner.

R 1047

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
U.S. 1900

ACTING CHAIRMAN.

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OOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 16 1900 1900.

38 Name Hugh Boyle Lenapah I.T.

District Cher-Shaw. Bay Roll Year 96 Page 6 No. 137

Citizen by blood Shaw Mother's citizenship John Boyle - d

Intermarried citizen [illegible] Catherine [illegible] - d

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Supl.-C.D.#647.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 20, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the application of HUGH BOYLE for enrollment as a citizen of the Cherokee Nation, introduced on part of applicant:

Appearances:
J. H. Keith, Coffeyville, Kans., Atty. for Applicants;
W. W. Hastings, Cherokee Representative.

Case continued from March 6th to March 20, 1902.

JOHN R. WELLS, being duly sworn, testified as follows on part or applicant:

MR. KEITH:

Q Please state your name, age and place of residence? A John R. Wells.
Q Where do you reside, Mr. Wells? A Lenapah, Indian Territory.
Q How old are you? A 61 or 62 I don't know exactly which.
Q How long have you lived in the Cherokee Nation, Indian Territory? A Lived here since '71.
Q Are you acquainted with Hugh Boyle, the applicant? A Yes.
Q How long have you known him? A I got acquainted with him in '83, I think.
Q Did you know his father? A Yes, sir.
Q You know where his father lived in the Cherokee Nation?
A Yes, sir.
Q When did you first know that his father lived in the Cherokee Nation? A In '71, May '71.
Q Hugh was a boy then? A Yes.
Q Where did they live? A They lived down on what is called Timbered Hill, on the Neosho river, southeast of Chetopa.
Q In Delaware district? A In Delaware district.
Q Do you know how long has father lived there? A I do not, I seen him there in the spring of '71.
Q Then you came there to Lenapah and stayed there, in Cooweescoowee district? A It was '71 I lived down there and in '72 I moved up to where I am living now, up there by Lenapah, ~~Rankroom about~~ 25 miles from where
Q That was about 25 miles from where Hugh Boyle's father lived?
A About 30.
Q Then Hugh afterwards in 1883 or 4 came down near where you lived?
A Yes, sir, him and Henry Sheefelt.
Q He came there with Henry C. Sheefelt? A Yes, sir
Q How long did he stay with Henry Sheefelt? A I don't know; I seen him there for quite a while and I didn't s see him any more until I seen him in Vinita.
Q You have known him ever since that time? A Yes, sir.

MR. HASTINGS:

Q You say you know him when you saw him? A Yes, sir.
Q You say you didn't see him for quite a while afterwards?
A I didn't see him until I went over to Vinita.
Q How long afterwards? A Two or three years.
Q You saw him in the town of Vinita? A Yes, sir.
Q You don't know where he had been during the meantime?
A I saw him at the ~~ground~~ there.

Q You just saw him at the payment there? A Yes, sir.
Q You just say him in '71, and you saw him over there with some man in 1883 and then you saw him Vinita at the payment?
A Yes, sir.

J. H. SHOEFELT, being duly sworn, testified as follows on part of applicant:

MR. KEITH:

Q Please, state your name, age and place of residence? A J. H. Shoefelt, Lenapah.
Q Are you acquainted with Hugh Boyle? A Yes, sir.
Q How long have you known him? A About 20 years.
Q Do you know whether he ever lived with your father, worked for your father in the State of Kansas? A He worked for him up there once.
Q Do you know where he came from, where he came to your place from in Kansas? A He came from the Territory.
Q Where did he go from your father's place at the expiration of 18 months? A Him and my father came down here to the Territory.
Q So far as you know he has been here ever since? A Yes, sir

MR. HASTINGS:

Q You don't know that he has been here ever since yourself, do you? A No, I haven't seen him all the time; he worked for us up there three or four years after he came down here.
Q When did he come here? A I think him and my father came here in '83.
Q When was the first time you saw him down here in the Cherokee Nation, yourself with your own eyes? A In the spring of '84.
Q That is the first time you saw him here in the Cherokee Nation?
A Yes, sir.
Q Before that when you saw him you saw him in Kansas?
A Yes, sir.
Q He worked up there anyhow 18 months for your father in Kansas?
A He went up there and worked the summer and winter I think he was there.
Q And then after 1883 or 4 he worked for your father three or four years in the Cherokee Nation? A Yes, sir.
Q And then where did he go? A He went over east above Vinita.
Q You don't know where he has lived ever since? A No, sir.
Q Well, how long was it after he himself left your place that he worked for you in 1884 or 5 until you saw him again? A Why I could not say; he has been to our place a good many times ever since then; he would be off and gone.
Q Just guessing likely? A Why he is kinda related to my father and when he is around there he makes his home with us; he would be off and be gone a while and come back.
Q And during that time when he was there? A Yes, sir
Q But as the business is he had no home but he just made that a sort of stopping place? A That is all I know of.
Q Was he married? A No, sir.
Q Was he ever married? A I never knew of him being married

Cross-examination. The attorney for applicant and respondent [illegible] the case. [illegible] to the [illegible] for evidence now [illegible]

I, J. C. Reason, do hereby certify upon my official oath as stenographer to the commission to the five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of stenographic notes thereof.

J. C. Reason

I, F. O. Hosmon, do hereby certify upon my official oath as stenographer to the commission to the five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of stenograph notes thereof.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
RECEIVED
MAR 27 1902

Cherokee D 647.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Hugh Boyle for enrollment as a citizen of the Cherokee Nation of Shawnee blood.

D E C I S I O N.

The record in this case shows that on October 18th, 1900 Hugh Boyle appeared before the Commission at Nowata, Indian Territory and made personal application for enrollment as a citizen of the Cherokee Nation of Shawnee blood. Further proceedings in the matter of said application were had at Muskogee, Indian Territory on March 20th, 1902.

The evidence shows that the applicant is thirty-eight years old; that he is a Shawnee by blood and is identified on the 1896 Cherokee-Shawnee Pay Roll. It also appears, from an examination of the 1871 Register of Shawnees in possession of the Commission, that the applicant and his father, John Boyle, are identified thereon. The applicant came to this country with his parents, John and Catherine Boyle, in May 1871, under the provisions of an agreement entered into by and between the Shawnee Tribe of Indians and the Cherokee Nation of Indians, on the 7th day of June 1869 at Washington, and approved by the President on the 9th day of June of said year.

The evidence further shows that Hugh Boyle is a resident of the Cherokee Nation and that he has resided therein for about thirty years, except for a period of about eighteen months in the years 1884 and '85.

It is, therefore, the opinion of this Commission that Hugh Boyle should be enrolled as a citizen of the Cherokee Nation of Shawnee blood, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH, SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 15, 1902.

Mr. Hugh Boyle,

Lenapah, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the sixth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-647
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

D647

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 24 1902

Muskogee, Indian Territory, April 17, 1902.

J. H. Keith, Esq.,
Attorney at Law,
Coffeyville, Kansas.

Dear Sir:

The Commission is in receipt of your letter bearing date of April 12, in which you state that it appears that certain errors were made in the stenographic report of the supplemental proceedings had before this Commission on the 25 day of March, 1902, in the matter of the application of Hugh Boyle for enrollment as a citizen of the Cherokee Nation, and asking that said errors be corrected.

In reply, you are advised that the Commission can not undertake to correct the testimony from the statements made in your letter, and it will be necessary that these witnesses be again brought before the Commission. You are requested to do this at the earliest date practicable.

Yours truly,

Acting Chairman.

Copy

Muskogee, Indian Territory, October [illegible], [illegible].

Ruth Boyle,

Lenapah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen of the Cherokee Nation of Shawnee blood.

Respectfully,

Tams Bixby.

Acting Chairman.

Register.

Enclosure K. No. 54.

COPY

Cherokee P.667.

Muskogee, Indian Territory, October 20, 1902.

S. H. Keith,

Coffeyville, Kansas.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Hugh Boyle for the enrollment of himself as a citizen of the Cherokee Nation of Shawnee blood.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure E. Bo. 65.

Cherokee D 547.

Muskogee, Indian Territory, September 25, 1902.

E. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Hugh Boyle for the enrollment of himself as a citizen of the Cherokee Nation of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Secretary.

Enc. C. No. 43.

3/7/1902

Received from the Commissioner to the Five Civilized Tribes, one copy of the testimony in the matter of the application of [illegible]

for enrollment as [illegible] of the Cherokee Nation.

Cherokee No. D 647

6 47

Act 18/03

Hugh Boyle
Nowata
Okla

Father John Boyle

C-B 96
since 71

Cher 9782
Zula Austin

Cher 9782

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
NOWATA, I.T., OCTOBER 19th, 1900.

IN THE MATTER OF THE APPLICATION OF Stirling A. Austin for the enrollment of his children as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Stirling A. Austin.
Q How old are you? A Forty seven.
Q What is your Postoffice? A Nowata.
Q Do you live in Cooweescoowee District? A Yes sir.
Q Who is it you want to have put on the rolls?
A A family of children.
Q Your own children? A Yes sir.
Q How many children? A There are five there.
Q You do not apply for yourself? A No sir., I am a white man; I was married back in Georgia.
Q You have no rights? A No sir.
Q Give me the name of the mother of these children? A Robbie ~~Austin~~ Austin.
Q Was she a Cherokee by blood? A Yes sir.
Q Is she dead? A Yes sir; she has been dead eighteen years.
Q How old was she when she died? A She was I think about twenty seven or eight years old.
Q Where did she die? A She died in Tahlequah District.
Q You did not marry her according to Cherokee law? A No sir; I married her way back in Georgia.
Q When did she come to the Cherokee Nation? A We came in 1881, and were enrolled in 1882.
Q You say your wife was admitted by the Cherokee Commission in 1882? A Yes sir.
Q Did you and your wife live in the Cherokee Nation from the time you came to the Cherokee Nation until she died? A Yes sir; never was out.
Q Where are these children living now? A Twelve miles west of this place.
Q They lived here all the time with their mother? A Yes sir; our baby is at Wagoner.
Q Give me the names of these children? A Zula.
Q How old is she? A Nineteen.
Q Charles is the next one? A Yes sir.
Q He is said to be seventeen years old; is that right?
A Yes sir.
Q Walter is the next one? A Yes sir.
Q Fifteen years old? A Yes sir.
Q Sevilla is the next one? A Yes sir.
Q Twelve years old? A Yes sir.
Q And Zerilda is the next one? A Yes sir.
Q Nine years old? A Yes sir.
Q Are these children all living now? A Yes sir.

(1896 Roll, Page 1132, #57, Zula Austen, Tahlequah D'st)
(1896 Roll, Page 1132, #58, Charlie Austen, Tahlequah D'st)
(1896 Roll, Page 1132, #59, Walter Austen, Tahlequah D'st)
(1896 Roll, Page 1132, #60, Sevella Austen, Tahlequah D'st)
(1896 Roll, Page 1132, #61, Zerilda Austen, Tahlequah D'st)

The applicant applies for the enrollment of five children, the children of his deceased wife. His deceased wife is said to have been admitted to Cherokee citizenship in 1882, and to have died eight years ago. The applicant states that he married her in 1880, but that they were not married in accordance with Cherokee law, and that they lived together from the time of their marriage until her death. And that he has lived in the Cherokee Nation with his family since 1881. These five children are all identified on the roll of 1896. They are living now, and they will be listed for enrollment

as Cherokees by blood, upon a doubtful card, to await official evidence of their mother's admission in 1883.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

C R Cravens

Subscribed and sworn to before
me this 19th day of October, 1900.

C R Breece

COMMISSIONER.

P65-2

13

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 19 1900



COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 10 1900 1900.

Name Nowata D.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Ex. Stephen A. Austin

District Bobbie Austin Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Mother admitted 1892 Date of marriage

License Certificate

Names of Children:

1	Zula Austin	Dist.	Tahlequah	Year	1896	Page 132	No. 57	Age 19
2	Charles "	Dist.	"	Year	"	Page 132	No. 58	Age 17
3	Walter "	Dist.	"	Year	"	Page 132	No. 59	Age 15
4	Peorlia "	Dist.	"	Year	"	Page 132	No. 60	Age 12
5	Jerilda "	Dist.	"	Year	"	Page 132	No. 61	Age 9
		Dist.		Year		Page	No.	Age
		Dist.		Year		Page	No.	Age
		Dist.		Year		Page	No.	Age
		Dist.		Year		Page	No.	Age
		Dist.		Year		Page	No.	Age

Filed

1 Oct 1896 Roll as Zula Austin

2 " " " " Charlie "

3 " " " " Walter "

4 " " " " Peorlia "

5 " " " " Jerilda "

Act of admission of mother to be supplied

Supl.-C.D.#652.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 6, 1902.

SUPPLEMENTAL in the matter of the enrollment of ZULA AUSTIN, ET AL, as citizens of the Cherokee Nation:

The applicant's father, Sterling A. Austin, was notified by registed letter February 15, 1902, that the application of his children for enrollment as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 6th day of March, 1902, and that on said day he might appear before the Commission either in person or by atterney when an opportunity would be given him to introduce any further testimony affecting their application. Receipt has been acknowledged of Commission's letter. The applicant having this day, to-wit: the 6th day of March, 1902, been called three times and failing to respond either in person or by attorney, it is directed that the case be closed and that the same be reported to the Commission for final decision based upon the evidence now of record.

Commissioner.

J. O.R.

Chero. D-652.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 20, 1902.

In the matter of the application of Sterling A. Austin for the enrollment of his children as citizens by blood of the Cherokee Nation.

Applicant appears in person: Cherokee Nation by W.W. Hastings.

Commission: The following entry appears upon page 110 of the Docket and Decisions of the Cherokee Commission on Citizenship, 1880 to 1884:

"Office Commission on Citizenship,
Tahlequah C. N. Sept. 22, 1881.
C. H. Taylor Atty for Claim.
No. 104.

Robby Auston)
Edney Auston) Petition for Citizenship.
Zular Auston)
Vs.
Cherokee Nation.

The above case submitted by the plaintiff Sept. 22d 1881.
Conti nued Oct. 3d 1881 by the Cherokee Nation until the nest meeting of the Commissi on.
Continued by the Commission till Sept. term Febr. 3rd 1882.
Submitted by the solicitor Sept. 29th 1882.
Now on this the 29th day of September A. D. 1882, this case coming on for final hearing; and all the evidence in the case being carefully and duly considered by the Commission; it was adjudged and determined by the Commission on Citizenship that the above named claimants, Robby Auston, Edney Auston, and Zular Auston, are Cherokees by blood and that they are entitled to all the rights and privileges of Cherokee citizenship within the Cherokee Nation and that they should be, and are hereby admitted to the full and complete enjoyment of the same within the Cherokee Nation in all respects as native born Cherokees.

Thos. Tahee Pres. of Commissi on.
Alex Wolfe (Commissioners.
T.F Thompson(

D.W.C.Duncan, Clerk of Com. "

Sterling Austin, being sworn and examined by the Commission, testifieds as follows:

Q What is your name? A Sterling Austin.
Q How old are you? A 49 years old.
Q What is your postoffice address? A Nowata.
Q You are the father of the applicants in this case? A Yes sir.
Q Who was the mother? A Robby.
Q Is she living or dead? A She is dead, been dead 11 years.
Q Where were you living when your wife was admitted to citizenship?
A We were living in Tahlequah District.
Q In the Cherokee Nation? A Yes sir.
Q Were all of your children who were born at that time with you in Tahlequah District? A Yes sir.
Q Have all of your children made their home in Tahlequah District?
Q Yes sir, but we lived six years over on this side in Coowescoo-wee Joining Tahlequah District.
Q Since your admission to citizenship have your children ever made their home outside of the Indian Territory? A No sir, never have been out.
Q Did you draw money for these children in 1894? A Yes sir. We drawed every time, we have been here all the payments.
Q Did you drew in 1890? A Yes sir.
Q What district were you living in at that time? A In Tahlequah District.
Q What is the name of your eldest child? A Edna.

E-Sterling A. Austin.

Q Is she living or dead? A She is living.
Q Is she married? A Yes sir, she is living with her husband.
The applicant's wife Bobby, and his children, Edna, Lula, Charley, Walter and Sevelia Austin are all identified on the Cherokee Pay-Roll of 1880 in Tahlequah District on page 247.
Q How long has your wife Bobby been dead? A Eleven years.
The 1894 pay-roll of the Cherokee Nation examined and the names of the applicant's children identified thereon as follows:
Page 1014, No. 59, Edgar Austin, Tahlequah District.
Page 1014, No. 60, Julia Austin, Tahlequah District.
Page 1014, No. 61, Charles Austin, Tahlequah District.
Page 1014, No. 62, Walter Austin, Tahlequah District.
Page 1014, No. 63, Sevelia Austin, Tahlequah District.
Page 1014, No. 64, Estrelda Austin, Tahlequah District.

This testimony will also be filed with and made a part of the record in the case of Edna Rutherford, Cherokee case No. 2067.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E E Rittenhouse

Subscribed and sworn to before me this 25th day of June, 1903.

E E Rittenhouse
Notary Public.

2-Sterling A. Austin.

Q Is she living or dead? A She is living.
Q Is she married? A Yes sir, she is living with her husband.
The applicant's wife Robby, and his children, Edna, Lula, Charley, Walter and Sevolia Austin are all identified on the Cherokee Pay-Roll of 1890 in Tahlequah District on page 847.
Q How long has your wife Robby been dead? A Eleven Years.
The 1894 pay-roll of the Cherokee Nation examined and the names of the applicant's children identified thereon as follows:

Page 1014, No. 59, Ednar Austin, Tahlequah District.
Page 1014, No. 60, Zulla Austin, Tahlequah District.
Page 1014, No. 61, Charles Austin, Tahlequah District.
Page 1014, No. 62, Walter Austin, Tahlequah District.
Page 1014, No. 63, Savolia Austin, Tahlequah District.
Page 1014, No. 64, Zerrelda Austin, Tahlequah District.

This testimony will also be filed with and made a part of the record in the case of Edna Rutherford, Cherokee case No. 3007.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 25th day of June, 1902.

Notary Public.

Cherokee D 652.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Zula, Charles, Walter, Sevolia and Zerilda Austin as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 19, 1900, Stirling J. Austin appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment of his minor children, Zula, Charles, Walter, Sevolia and Zerilda Austin, as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on June 20, 1902.

The evidence shows that the above named Zula, Charles, Walter, Sevolia and Zerilda Austin are the children of Stirling Austin, a white man and non-citizen, and one Robbie Austin, his wife, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation under the name of Robby Auston, on September 29, 1882. The said Robbie Austin is now deceased. The applicants in this case are all identified on the Cherokee Census roll of 1896.

The evidence further shows that the above named applicants have resided in the Cherokee Nation all their lives, and that they were residents of the said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Zula Austin, Charles Austin, Walter Austin, Sevolia Austin and Zerilda Austin should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this [illegible]

JOR

Cherokee 9782

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.

Tahlequah, I. T., June 12 1905.

In the matter of the application for the enrollment of Zula Austin and brothers Charles, Walter and sisters Sevalia and Zerelda Austin as citizens by blood of the Cherokee Nation.

ZULA LYNCH, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Zula Lynch.
Q What is your father's name? A His name is Sterling Austin.
Q How old are you? A I am 24 .
Q What is your postoffice? A Nowata, I. T.
Q Have you brothers Charlie, Walter and Sevolia, and sister Zerelda Austin? A Yes sir.
Q Are they all living? A Yes sir.
Q Are you married? A Yes sir.
Q What is the name of your husband? A Mansfield Lynch.
Q Is he a citizen of the Cherokee Nation? A No sir.
Q When were you married? A The 21st day of December.
Q What year? A 1904.
Q Are you and he living together now? A Yes sir.

(A copy of this testimony to be filed with Cherokee Allotment #21976.)

Clinton W. Myers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the supplemental testimony in this case and that the foregoing is a true and complete transcript of his stenographic notes taken therein.

Clinton W Myers

Subscribed & sworn to before me
this the 30th day of June, 1905.

Samuel Foreman
Notary Public.

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 15, 1902.

Mr. Stirling A. Austin,

Nowata, Indian Territory,

Sir:-

You are hereby notified that the application of Zula, Charles, Walter, Sevolia, and Zerilda Austin for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the sixth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of readmission of Robbie Austin.

Cherokee D-652
Register.

Yours truly,

Acting Chairman

Commissioner in Charge.

1652

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

Cherokee D 652.

COPY.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Stirling J. Austin for the enrollment of his five minor children, Zula, Charles, Walter, Sevolia and Zerilda Austin, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Dixon

Acting Chairman.

Enc. C. No. 44.

COPY.

Cherokee D 852.

Muskogee, Indian Territory, October 30, 1902.

Stirling J. Austin,

Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of your five minor children, Eula, Charles, Walter, Sevolia and Zerilda Austin, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby
Acting Chairman.

Register.

Enclosure M. No. 86.

Cher 9783

George Whitmire

Transferred from D654

Cher 9783

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T., October 19, 1900.

In the matter of the application of George Whitmire for the enrollment of himself, brother and sister, as Cherokee citizens; being sworn and examined by Commissioner Needles he testified as follows:

Q What is your name? A George Whitmire.
Q How old are you? A 23
Q What is your post-office address? A Hayden.
Q In what district do you live? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yessir
Q Are you a Cherokee by blood? A Yes sir, by blood.
Q Who do you want to enroll? A I want to enroll myself.
Q Anybody else? A I have got a sister and brother I want to enroll.
Q How old are they? A My youngest brother is 14; my sister is 17.
Q What is the name of your sister? A Bettie.
Q How old is Bettie? A 17
Q What is the name of your brother? A Johnson.
Q What is the name of your mother? A My mother is Rachel Whitmire- used to be.
Q Is she living? A She is dead.
Q What is the name of your father? A Josh Whitmire.
Q Is he living? A No sir, he is dead too.
1880 roll page 199 #3218 as Georgia Whitmire Cooweescoowee District, Freedman Roll, - Note: on roll says "Colored." Applicant says that note is a mistake.
Q In what district were you in 1896? A Same District?
A No I guess not; we had to go to Tahlequah to get that mistake changed. My mother did go by the name of Gearhart. Maybe she put our names down as Glass.
1896 roll page 170 #2052 George Glass Cooweescoowee, native Cher.
1896 roll page 170 #2056 Johnson Glass "
1896 roll page 170 #2055 Betsey Glass "
Q Their names are Whitmire? A That was our father's name, he went by Whitmire and Glass to; my mother just put our names down as Glass on the 189 6 roll.
Q What is Bettie's and John's mother's name now? A Rachel
1880 roll page 199 #3217 Rachel Whitmire Cooweescoowee, "Colored".
Q Your mother is on the colored roll as a colord woman? A No, my mother is a full-blood Cherokee.
Q How long have you lived in the Cherokee Nation? A I was born and raised here.
Q Your brother and sister too? A Yes sir.
Q Lived here always A Yes sir.

Com'r Needles. The name of George Whitmire appears upon the authenticated roll of 1880 as "colored"; his name is also found upon the census roll of 1896 as an Indian, as Glass; he applies for the enrollment of himself and his sister, Bettie, and his brother Johnson, and the names of Bettie and Johnson appear upon the census roll of 1896 as Bettie Glass and Johnson Glass; he avers that they are the children of Rachel Whitmire, who is found upon the authenticated roll of 1880 as a colored citizen; they are duly identified according to page and number of the rolls as indicated in the testimony; satisfactory proof is made as to their residence, and being no satisfactory proof as to their nationality of these parties, as to whether they are colored or Indians by blood, final judgment as to which roll they should be placed on will be suspended, and their names will be placed upon a doubtful card, for the reason that no satisfactory proof is made as to whether they are colored citizens of Indians.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 22 1906

George Whitmire et al 2

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correc tly recorded the testimony nd proceedings in this case and that the foregoing is a tr e and complete transcript of his stenographic notes thereof.

M.D. Green

Subscribed and sworn to before me this 22nd day of October 1900.

Commissioner.

Statement of Applicant Taken Under Oath.

(23)

CHEROKEES BY BLOOD AND ADOPTION.

Date AUGUST 1900. 1900.

1 Name Georgia Whitmire Wayne VJ

District COOWEESCOOWEE. Year 1880 Page 194 No. 3218

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

1 Bettie Whitmire Dist. COOWEESCOOWEE. Year 1896 Page 170 No. 2055 Age 17

3 Johnson Dist. COOWEESCOOWEE. Year 1896 Page 170 No. 2056 Age 14

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Parents of above Children { Joshua Whitmire / Rachael

1 On 1880 roll as Georgia Whitmire on Freedman Roll

2 On 1896 roll as Betsy Ellen

3 " " " " Johnson "

9654

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 19 1900

ACTING CHAIRMAN.

D-654.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., November 29, 1900.

In the matter of the application of George Whitmire for enrollment as a Cherokee citizen, being sworn by Commissioner T. B. Needles, testified as follows:

Supplementary Testimony.

Interpreted by J. H. Reynolds.

Vincent, John McIntosh, sworn and examined, testified as follows:

Q What is your name? A John McIntosh.
Q Do you know George Whitmire? A Yes sir.
Q You know his mother? A Yes sir.
Q What was his mother's name? A Rachel Sloan.
Q What is her father's name? A Johnson Robins.
Q Was Rachel Sloan a colored woman or an Indian? A Cherokee.
Q Cherokee by blood? A Yes sir.
Q Do you know this man's father? A Yes sir.
Q What was he? A Colored.

By W. W. Hastings to witness-
Q How long did you know his mother? A Can't say how long; I have known her; just see her once in a while.
Q Was he intimately acquainted with her; know her well? A He said he was intimately acquainted with the father.
Q Was he intimately acquainted with the mother? A Yes sir.
Q How far did he live from them? A Very frequently visited her father's house, Mr. Robins, and that is how he got acquainted with her.
Q How far did he live from her? A She lived here on Salt Creek, and he lived down here.
Q How far; can he estimate how far that is apart? A 12 or 14 miles.
Q How long did he like that now? A Ever since she married this boy's father; married during the war.

Commissioner Needles-
Q You know positively that George's mother was an Indian and his father was a colored man? A Only that he knows that she is the daughter of Johnson Robins.

By W.W.Hastings-
Q John Robins wife might have been part colored? A No: she was a Cherokee.
Q This boys mother has no colored blood in her; you know that its all Cherokee? A All Cherokee as far as I know.

By W. W. Hastings to applicant-
Q Did you draw Cherokee strip money with the Cherokees or did you draw with the colored people? A With the Cherokees.
Q In 1894? A Yes sir.
Q You drew that money? A Yes sir, mother did. She drew it on Rachel Sloan. My father was a freedman, and his father was an Indian.
1894 roll: page 167, #1773, Cen. D. Sloan, Tecumseconcega.

E.A.Reinsberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes in said case.

Subscribed and sworn to before me this 30th day of December, 1900.

Stenographer.

SUPPLEMENTAL: 4 copies with B 654 and 4 with home of Eliza Rose taken this day.

Department of the Interior,
Commission to the Five Civilized Tribes,
Chelsea, I. T., November 20, 1900.

In the matter of the application of Mrs Eliza Rose as a Cherokee citizen;

J. E. Campbell, being sworn by Com'r Breckinridge and examined by the Commission testified as follows:

Q What is your name? A J. E. Campbel.
Q What is your age? A 63.
Q What is your post-office address? A Alluwee, Indian Terr'y
Q Are you acquainted with the applicant, Eliza Rose? A No, I am not.
Q Were you acquainted with her mother? A Yes.
Q Do you know whether or not her mother was a Cherokee by blood or a freed woman? A Her mother was identified with the freedmen but my understanding is that she was a Cherokee by blood.
Q Do you know of your own knowledge whether her mother was a full-blood Cherokee woman? I wouldn't suppose from her appearance that she was a full-blood, she was known as a Cherokee, and had the appearance of being almost a full-blood.
Q Had she ever been recognized by the Cherokee Nation as a Cherokee by blood, that is, the applicant's mother? A I can't speak with absolute positiveness about that, but it is my belief and my recollection that she has drawn money as a Cherokee.
Q Her name appears upon the authenticated roll of 1880 as a colored woman, do you know whether she has been subsequently recognized as a Cherokee by blood instead of a freed woman? A It is my recollection that she drew money as a Cherokee.
Q Have her children always been recognized as Cherokees by blood or freedmen? A They have been identified with the freedmen, but they I think have drawn money as Cherokees.

Examined by Caleb Starr, Cherokee Rep't've:

Q How long have you known this girl's mother? A Probably for 20 years or more.
Q Have you been intimately acquainted with her? A She lived neighbor and traded at my store a good deal during her life time.
Q How far did she live? A About six or 7 miles.
Q Has she any colored blood in her? A Well I couldn't say about that.
Q You don't know that she is all Cherokee? A No sir. I stated directly that I understood that from her appearance that she was about a full-blood; her hair was perfectly straight and she was dark, and she was known as a Cherokee.
Q Do you know of your own knowledge whether she ever drew Cherokee money? A I believe she did as a Cherokee; I know she has always drawn; because she participated in the payments, and it is my recollection that she is a Cherokee.
Q You haven't been acquainted with her long enough to know whether or not she was a ~~[illegible]~~ slave or a freed woman? A No, I haven't.

LEWIS WHITMIRE, being sworn and examined by the Commission testified as follows:

Q What is your name? A Lewis Whitmire.
Q Are you acquainted with the applicant here, Eliza Rose?
A Yes sir.
Q How long have you known her? A Ever since she was born.
Q Did you know [illegible]? A Yes sir.
Q Was her mother [illegible]? A Cherokee.
A Was she [illegible]
always recognized [illegible]

Eliza Rose et al 2

Q Do you know whether or not her mother was ever a slave? A No sir, her mother was a Cherokee born.
Examined by Caleb Starr, Cherokee Rep've.

Q How long have you known her mother? A I knowed Rachel Whitmire, or Rachel Glass, or whatever you have got her name down, I knowed her mother ever since she was a little baby; lived close neighbor to her; born right in the same neighborhood.
Q How old are you? A I guess I must be close on to 62 years I don't know exactly.
Q Have you always lived as a neighbor to her and near her?
A Always did until after the war separated us, and then I was in the country where I was acquainted with them all along up until now; I have knowed the family of people ever since I first got big enough to know people.
Q Do you know whether there is any colored blood in her or not?
A No sir, there was none that ever I heard of; not a drop.
Q Was she ever classed as a colored person before 1880? A Not that ever I knowed of.
Q Do you know of her drawing money before 1880 with the Cherokees? A Why she was a small girl, this Rachel Whitmire was, when they drawed the immigrant money here; her parents drawed for her I recollect that.
Q Did she draw as a Cherokee. A Yes sir.
Q Was her father a colored man or an Indian? A Her father was an Indian.
Q Was her mother an Indian? A Yes sir.
Q Has she drawn money since 1880? A Well she might have drawed since that, - I don't know.

M.D.Green, being first duly sworn, states that as stenographer to the commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 20th day of November 1900.

C Wharton

Commissioner.

Supl.C.-D.#654.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., NOVEMBER 6th, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of George Whitmire as a Cherokee citizen, introduced on part of the applicant.

Appearances,
Applicant present in person.
Mr. Hastings, Cherokee Representative.

SAM ENGLAND, being duly sworn and examined by Commissioner Needles, testified as follows on part of applicant, through Interpreter Simon H. Walkingstick:

Q What is your name? A Sam England.
Q How old is he? A About 48 years old.
Q What is your post office? A Peggs.
Q Are you a full blood Cherokee? A Yes, sir.
Q Do you know George Whitmire? A Yes, sir.
Q Do you know his sister, Bettie, and his brother Johnson?
A Yes, sir, I know them.
Q Do you know their mother? A Yes, sir, I know them.
Q What was her name? A Her maiden name was Rachel Robbins.
Q Was she a Cherokee by blood? A Yes, sir, she was a full blood Cherokee.
Q Did you know George Whitmire's father? A Yes, sir, I know him.
Q What nationality was he? A I think he must have been a colored man, had some colored blood.
Q How long did you know George Whitmire's mother? A I knew her nearly all her life, until she grew up to become grown, she was first cousin of mine.
Q I understand him to say that she was a full blood Cherokee?
A Yes, sir.
Q You knew her well and knew her all her life? A Yes, sir.
Q Is she living now? A No, sir.

Comr Needles: From the evidence there appears to be no doubt but that George Whitmire and his sister Bettie and his brother Johnson should be listed for enrollment as Cherokees by blood.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J O Rosson

Subscribed and sworn to before me this November 9th, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. N. BROKEMEYER,
COMMISSIONERS.

ATTORNEY AT LAW
MUSKOGEE, INDIAN TERRITORY

No. 1717

The Dickey Brosden

Received of the Commissioner to the Five Civilized Tribes one copy of the testimony in the matter of the application of [illegible] for enrollment as

Muskogee, I.T.

"R"

Cherokee D 654

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 5,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of George Whitmire for the enrollment of himself, brother and sister as Cherokee citizens.

Appearances:
E. B. Lawson, Nowata, I. T., attorney for the applicants;
W.W.Hastings, attoney for the Cherokee Nation.

BY COMMISSION: The applicant and his attorney were notified by registered letter February 14,1902, that the application of George Whitmire and others for enrollment of himself, brother and sisters as citizensof the Cherokee Nation would be taken up for final considerationby the Commission at its offices in Muskogee, Indian Territory, on the 5th day of March,1902; receipt has been acknowledgedof the Commission's letter and the applicant this day, to-wit: the 5th day of March 1902, appears by his attorndy, E.B.Lawson, Nowata, I. T.

BY COMMISSION OF LAWSON: Any statement you desire to make?
A No sir, I desire to file a brief.
You submit the case do you? A Yes sir.
MR. LAWSON: Eliza Rose is a sister of George Whitmire, and the same proof in this case applies to hers.
BY COMMISSION: The attorney for the applicant ~~submits~~ in behalf of the applicant and the attorney for the Cherokee Nation in behalf of the Nation submit the case, and same is ordered closed and reported to the Commission for final decision, based upon the evidence now of record.

M.D.Green, hereby certifies that as stenographer to the Commission to the Five civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

...matter of the application for enrollment of George Whitmire ... Citizens of the Cherokee Nation.

... now George Whitmire and represents to this Court that his Moth... Whitmire, was a native Cherokee and of full blood, and that ... lived in the Cherokee Nation all her life, and that the applicants ... all born and raised in the Cherokee Nation.

... question in this case is whether the applicants should ... enrolled on the Eastern Roll or on the roll of native Cherokees.

... [illegible] ... Act ... [illegible] ... note after the name "Coolmeir"; ... [illegible] ... the applicants appear on this ... roll.

... testimony of W. A. Campbell, Lewis Whitmire, John Mointosh ... and English showed conclusively that the Mother of these children ... a native Cherokee and drew money as a Cherokee and was always recog... as such by the Cherokees.

We see no reason whatever why the applicants should not be placed on the rolls of the native Cherokees, as their status is the same as that

Before the Honorable Dawes Commission, sitting at Muskogee, I. T.

In the matter of the application for enrollment of George Whitmire et al, as Citizens of the Cherokee Nation.

Comes now George Whitmire and represents to this Court that his Mother, Rachel Whitmire, was a native Cherokee and of full blood, and that she lived in the Cherokee Nation all her life, and that the applicants herein were all born and raised in the Cherokee Nation.

The only contention in this case is whether the applicants should be enrolled on the Freedmen roll or on the roll of native Cherokees.

The name of George Whitmire, one of the applicants appears on the 1880 roll, page 199, as number 3218, and a note after the name "colored"; on the 1896 roll, the names of all the applicants appear as native Cherokees.

The testimony of J. B. Campbell, Lewis Whitmire, John McIntosh and Sam England shows conclusively that the Mother of these Children was a native Cherokee, and drew money as a Cherokee and was always recognized as such by the Cherokees.

We see no reason whatever why the applicants should not be placed on the rolls of the native Cherokees, as their status is the same as that of their Mother, Racheel Whitmire.

E. B. Lawton
Attorney for Applicants.

Cherokee D. 654.

George Whitmire,

BRIEF OF CHEROKEE NATION.

COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAY 9 1902
ACTING CHAIRMAN

Department of the Interior,

Commission to the Five Civilized Tribes.

Muskogee, I. T., May 8, 1903.

In the matter of the application of George Whitmire for enrollment as a citizen of the Cherokee Nation. Cherokee D. 654.

Brief on behalf of the Cherokee Nation.

The testimony shows that George Whitmire, the applicant, appears upon the 1880 roll as colored; and the testimony also shows that his mother, Rachel Whitmire, appears upon the roll of 1880, and she is also marked "colored".

The only question in this case is as to how the applicant should be enrolled, whether as a Cherokee or a colored man. And in as much as both he and his mother appear upon the roll of 1880, which was confirmed by Act of Congress, as being colored, we submit that his status is fixed, and that he should be enrolled by this Commission as a Cherokee Freedman.

Respectfully submitted,

W W Hastings

Attorney for the Cherokee Nation.

W H M

Cherokee D 654

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of George Whitmire for the enrollment of himself, his brother Johnson Whitmire and his sister Bettie Whitmire as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 19, 1900, George Whitmire appeared before the Commission at Nowata, Indian Territory, and made personal application for the enrollment of himself, his brother Johnson Whitmire and his sister Bettie Whitmire as citizens by blood of the Cherokee Nation. On November 16, 1900, at Chelsea, Indian Territory, further testimony was taken relative to this application. On November 6, 1901, at Tahlequah, Indian Territory, and on March 5, 1902, at Muskogee, Indian Territory, further proceedings were had. A copy of the testimony taken in the matter of the application of Eliza Ross was filed with and made a part of this record.

The evidence shows that the principal applicant, George Whitmire is identified on the authenticated tribal roll of 1880, and that Johnson and Bettie Whitmire are the descendants of Rachel Whitmire who is identified on the 1880 roll, born to her since the completion of such roll. It appears that George Whitmire and his mother Rachel Whitmire are described on the 1880 roll as colored. The applicants, however, are identified on the Cherokee Census roll of 1896 as Cherokees under the name of Glass. The evidence establishes that the father of the applicants was colored, but that their mother, Rachel Whitmire, was a Cherokee Indian.

The evidence further shows that the applicants have resided in the Cherokee Nation all their lives and that they were residents of said Nation at the time of the application herein.

It is, therefore, the opinion of this Commission that George Whitmire, Johnson Whitmire and Bettie Whitmire should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

Application No. .....

DUPLICATE.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
CHEROKEE ENROLLMENT OFFICE.

I. T., FEB 9- 1903 A. D. 190....

To the Clerk in charge of the Cherokee Land Office:

This is to certify that the names of the following persons

Roll Number	Card Number	NAME	Relationship to person First Named	Age
21981	9183	George Whitmire		25
21983	9183	Johnson Whitmire	brother	16

Johnson Whitmire represented by George Whitmire, guardian. Letters of Guardianship attached to original. Letters of Guardianship issued Out of the U. S. Court, D. T., for Southern District at Purcell Feby 6, 1903

All appear upon the records of the Commission to the Five Civilized Tribes as citizens of the Cherokee Nation.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

.....
Chairman.

.....
Clerk in Charge.

9783.

COMMISSION [illegible] ED TRADE

FILED

FEB 12 1903

ACTING CHAIR

JOR Cherokee 9783

Department of the Interior,
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I. T. June 28, 1904.

In the matter of the application for the enrollment as citizens by blood of the Cherokee Nation of George, Bettie, and Johnson Whitmire.

SUPPLEMENTAL TESTIMONY.

BETTIE ROGERS, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Bettie Rogers.
Q How old are you? A 25.
Q What is your post office? A Nowata.
Q Your post office used to be Hayden? A Yes sir.
Q Have you married since you were enrolled? A Yes sir.
Q What is your husband's name? A Dave Rogers.
Q Is he a Cherokee citizen? A No sir, he is a Freedman.
Q Is he a citizen of the Cherokee Nation? A He is on a doubtful card.
Q When were you and he married? A In 1901 I believe.
Q Do you remember the day? A I believe it was August 20.
Q Are you and he living together now? A Yes sir.
Q What is his full name? A Jennie Dave Rogers.

Mary B. Risser, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she correctly recorded the supplemental testimony in this case and that the above is a true and complete transcript of her stenographic notes therein.

Mary B. Risser

Subscribed and sworn to before me this 28th day of June, 1904.

J. Rosser
Notary Public.

KM

9783

IN RE
THE DEATH OF
Johnson Whitmire
a citizen of the
Cherokee Nation.

Approved Dec 21 1904
C. R. Breckinridge
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Johnson Whitmire (Here insert name of deceased)

a citizen of the Cherokee Nation, who formerly resided at or near Hayden (Here insert name of postoffice), Ind. Ter., and died on the 5 day of May, 1904.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT:

I, George Whitmire, on oath state that I am 27 years of age and a citizen, by blood, of the Cherokee Nation; that my postoffice address is Hayden (Here insert name of postoffice), Ind. Ter.; that I am brother (Here insert relationship as: the father; an uncle; a cousin, etc.) of Johnson Whitmire (Here insert name of deceased), who was a citizen, by blood, of the Cherokee Nation; and that said Johnson Whitmire (Here insert name of deceased) died on the 5 day of May, 1904.

his
George X Whitmire
mark

Witnesses to Mark:

(Name to Two Witnesses) Walter Hall
W A Moore

Subscribed and sworn to before me this 6 day of December 1904

Samuel Foreman
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, _____ DISTRICT.

I, _____, on oath state that I am _____ years of age, and a citizen by _____, of the _____ Nation; that my postoffice address is _____ (Here insert name of postoffice), Ind. Ter.; that I was personally acquainted with _____ (Here insert name of deceased), who was a citizen, by _____, of the _____ Nation; and that said _____ (Here insert name of deceased) died on the _____ day of _____, 1_____.

Witnesses to Mark:

(Name to Two Witnesses) _____

_____

Subscribed and sworn to before me this _____ day of _____ 190_____

_____
Notary Public.

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 14, 1902.

Mr. George Whitmire,

Hayden, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and Bettie and Johnson Whitmire

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the fifth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Copy to E.B.Lawson,
Vinita, I.T.

Cherokee D-634
Register.

Acting Chairman.

Commissioner in Charge.

(6) ND 6574

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 24 1902

COPY. Cherokee # 534.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of George Whitmire for the enrollment of himself, his brother, Johnson Whitmire, and his sister, Bettie Whitmire, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Bixby
Acting Chairman.

Enc. C. H. C.

COPY.

Cherokee D 884.

Muskogee, Indian Territory, October 30, 1902.

George Whitmire,

Hayden, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 29, 1902, granting your application for the enrollment of yourself and your sister, Bettie, and your brother, Johnson Whitmire, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Register.

Enclosure K. No. 57.

COPY.

Cherokee 3 Misc.

Muskogee, Indian Territory, October 30, 1902.

E. B. Lawson,
Attorney for George Whitmire et al,
Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of George Whitmire for the enrollment of himself and his sister, Nettie, and his brother Johnson Whitmire, as citizens by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Register.

Enclosure H. Eq. 38.

11/21/1900

Read testimony of George Whitmire of Sequichie & Compere

C Blanchard

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 21 1900

ACTING CHAIRMAN

Cher 9784
Nellie Polson

Cher 9784

D.660.

Application refused as to applicant, William M. Polson.
Doubtful as to his wife Minnie and their children.

##

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I. T., October 22d, 1900.

In the matter of the application of William M. Polson for the enrollment of himself, wife and children as Cherokee citizens. He being first duly sworn, testified before the Commission as follows:

Q What is your name? A William M. Polson.
Q What is your post office address? A Oolagah, I. T.
Q What district do you live in? A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir, that is I am an adopted citizen.
Q Do you mean a citizen by intermarriage? A Yes, sir.
Q For whom do you apply for enrollment? A Myself, wife and family.
Q What is the name of your wife? A Minnie.
Q What is your wife, a Cherokee? A Yes, sir.
Q What are the names of your children? A Martin.
Q What is his age? A 3 years old.
Q What is the name of the next one? A Mattie.
Q How old is she? A 2 months old.
Q Have you a certificate of your marriage to your wife? A Yes, sir.

Applicant presents a duly authenticated marriage certificate and license certifying that he was married to one Miss Minnie Locker a citizen of the Cherokee Nation on the 12th of March, 1896.

Applicant also presents certificates as to the birth of his children Martin and Mattie whose names do not appear on the census roll of 1896, they being too young.
Q What is your wife's father's name? A William C. Locker.
Q Is he living? A No, sir.
Q What is her mother's name? A Martha E. Locker.
Q Is she living? A No, sir.
Q How long have you lived in the Cherokee Nation? A 8 years.
Q Was she your first wife? A Yes, sir.
Q Are you her first husband? A Yes, sir.
Q Is she alive and living with you now? A Yes, sir.
Q Has she always lived in the Cherokee Nation? A Yes, sir.
Q Is your wife's name on the 1880 authenticated roll? A I don't think it is.
Q How old is your wife? A 25.
Q Have you a certificate of her admission to citizenship by either the Cherokee Council or Commission?
Q What is your wife's mother's name? A Martha or Marguerite.
Applicant presents a certified copy of an act to readmit to citizenship certain persons named in said act, and among others the name of Marguerite E. Locker appears. Said act being approved by Wm. P. Ross, Principal Chief of the Cherokee Nation on the 22d of November, 1878, and the correctness of the copy being certified to by Wm. H. Mayes, Asst. Executive Sect. of the Cherokee Nation, on the 11th of April, 1898, under the great seal of the Cherokee Nation.

Q Is the Marguerite E. Locker mentioned in this act the mother of your wife? A Yes, sir.
Q Where did you marry your wife? A Here in the Cherokee Nation.
Q Where was your wife born? A Fort Gibson.
Q Do you recollect the date of her birth? A No, sir, I don't.

1896 roll, page 319, No. 780, William Polson, Coowescoowee.
1896 " 255, 5792, Nellie Polson, "
Q How long have you lived in the Cherokee Nation? A 8 years.
Q How long has your wife lived here? A All her life.

The name of William M. Polson appears on the census roll of 1896. He avers that he was married in 1896 to one Minnie Locker whom he avers to be a citizen of the Cherokee Nation by blood, and the name of Minnie Locker as Minnie Polson appears on the census roll of 1896. He presents a certificate of birth as to his two children Martin and Minnie Polson, whose names are not on the census roll of 1896, they being too young to be on said roll. The applicant states that he was married in 1896 and he being a white man he married too late to acquire any of the rights of citizenship by reason of the fact that the Cherokee law had then been passed which prohibited non-citizens from acquiring rights by intermarriage. Therefore the application as to his own enrollment isrefused.
He avers that his wife is a Cherokee citizen and presents a certified copy of an act of Cherokee Council admitting among others her mother Marguerite Locker to Cherokee citizenship in 1872, but her name is not on the authenticated roll of 1880, consequently the final decision as to the enrollment of his wife and two children will be suspended and their names will be placed on a doubtful card.

Chas. von Weise, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full allthe proceedings had in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes in said proceedings.

(Signed) Chas. von Weise.

Subscribed and sworn to before me this the 23rd day of October, 1900.

(Signed) T. B. Needles,

Commissioner.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur G. Croninger

Subscribed and sworn to before me this 27th day of December, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED T

FILED
OCT 22 1900

Acting

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 22 1900 1900.

Name Dalu gah D.D.

District Year Page No.

Citizen by blood Mother's citizenship Rejected

Intermarried citizen

Married under what law Date of marriage

License Certificate

1 Wife's name Nellie Polson nee Foster

District COOWEESCOOWEE. Year 1880 Page 233 No. 3792

Citizen by blood full Mother's citizenship

Intermarried citizen no

Married under what law Date of marriage

License Certificate

Names of Children:

2 Marlin Polson Dist. Year Page No. Age 3

3 Nannie " Dist. Year Page No. Age 9 mos

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

2 and 3 Birth affidavits supplied

Satisfactory proof of citizenship to be supplied

MARRIAGE LICENSE.

CHEROKEE NATION, Cooweescoowee DISTRICT.

To any person legally authorized, greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr Wm Dolson Age 26 a citizen of the United States, and Miss Nellie Lockes. Age 20 years a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such Marriage, with a certificate of the same appended thereto and signed by you

Given under my hand and seal of office, this the 10th day of March 1896

F. E. M. Lackey

CLERK Cooweescoowee DISTRICT.

E 141

Hennessy

IMPROVEMENTS OF

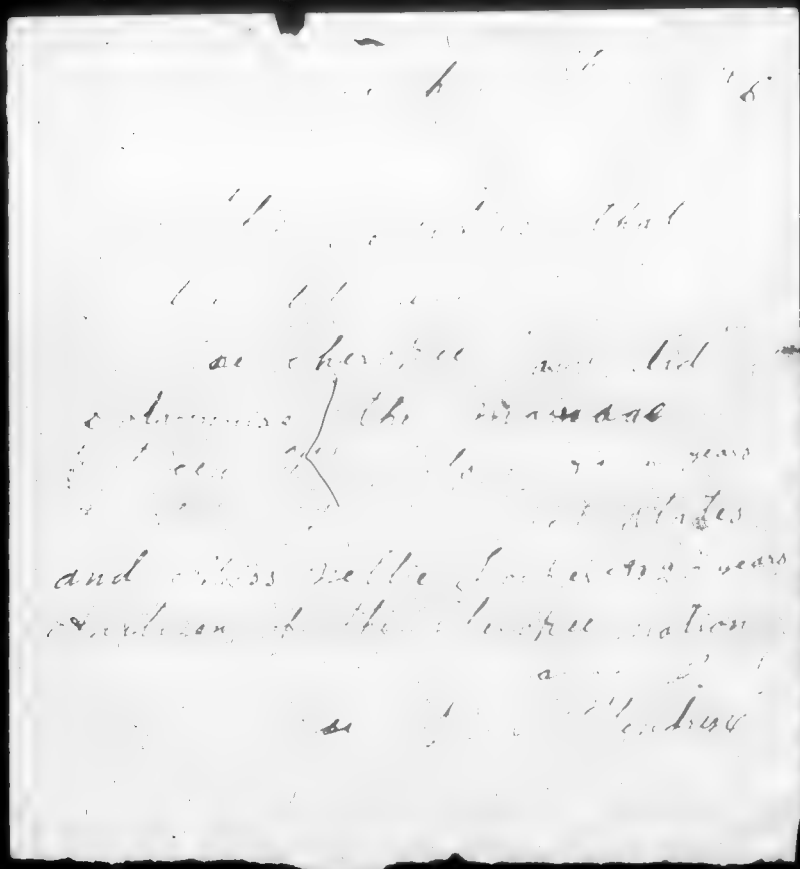
District, C. N.

Joe W Lahay

TESCOQWEE DISTRICT

By Fred McKinney

Agent



F.

20

IN RE

Application for Enrollment of

INFANT CHILD

Martha Abel

as a citizen of the

Nation.

Approved, Oct 26 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 26 1900

[redacted]

Land Ins 2660

DEPARTMEN

COMMISSION

IN RE Application for Enrollmen

of Mattie - Polson
(Here insert name of child.)

Name of Father: Willia... M. Po

Name of Mother: Nellie . Po

AFFI

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Nellie . Polson

years of age and a citizen, by Bloo

that I am the lawful wife of W. J

Adoption, of the Che

here to me on the 12th day of

Mattie Polson

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before

My Com Exp

AFFIDAVIT OF ATTE

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Annah Ot'son

Resided on Mrs. Nellie Pola

this the 12th day of Febua

Child is a Female ch
(Male or Female)

named Mattie . Polson

WITNESSES TO MARK:

TMENT OF THE INTERIOR,
MISSION TO THE FIVE CIVILIZED TRIBES.

Enrollment, as a citizen of the Cherokee Nation,
Polson, born on the 12th day of February, 1900.
W. Polson, a citizen of the Cherokee Nation.
. Polson, a citizen of the Cherokee Nation.
Post-office, Oolagah, I.T.

AFFIDAVIT OF MOTHER.

RICA,
istrict.

Polson, on oath state that I am 25
Blood, of the Cherokee Nation;
W. M. Polson, who is a citizen, by
Cherokee Nation; that a Female child was
(male or female)
day of February 1900; that said child has been
Polson, and is now living.

Nellie Polson

to before me this 1st day of October 1900.
Exp Sept 13 1904 Wm. Clapham NOTARY PUBLIC.

OF ATTENDING PHYSICIAN, OR MIDWIFE.

RICA,
strict.

Pson, a Midwife, on oath state that I
Polson, wife of W. M. Polson,
ebruary, 1900, that there was born to her on
child; that said child is now living and is said to have been
lson

Mrs. Hannah Polson

1st
Wm.
Exp Sept 13, 1904

9660 8

20

IN RE

Application for Enrollment of

INFANT CHILD

Martin Tiger

as a citizen of the

Cherokee Nation.

Approved OCT 22 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 22 1900

ACTING CHAIRMAN.

Dead Roll 66.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Martin Polson (Here insert name of child.), born on the 18th day of December, 1897.

Name of Father: William Jr. Polson, a citizen of the Cherokee Nation.

Name of Mother: Nellie Polson, a citizen of the Cherokee Nation.

Post-office, Tahlequah I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Nellie Polson, on oath state that I am 25 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of William Jr. Polson, who is a citizen, by Adoption, of the Cherokee Nation; that a Male (male or female) child was born to me on the 18th day of December 1897; that said child has been named Martin Polson, and is now living.

Nellie Polson

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19th day of October 1904

Wm. Colaphan NOTARY PUBLIC.

My Com Exp Sept 17th 1904

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Hannah Polson, a Midwife, on oath state that I attended on Mrs. Nellie Polson, wife of William Jr. Polson on the 18th day of December, 1897; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Martin Polson.

Hannah Polson

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19th day of October 1904

Wm. Colaphan NOTARY PUBLIC.

My Com Exp Sept 17th 1904

X 20 0660

IN RE

Application for Enrollment of

INFANT CHILD

Enid [illegible]

as a citizen of the

[illegible] Nation.

Approved [illegible] 190...

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 20 1901

ACTING Clerk

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Earl Polson (More than name of child), born on the 11 day of Nov, 1901.

Name of Father: W. M. Polson, a citizen of the Cherokee Nation.

Name of Mother: Nellie Polson, a citizen of the Cherokee Nation.

Post-office, Tahlequah I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Northern District.

I, Nellie Polson, on oath state that I am Twenty-~~four~~ seven years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of W. M. Polson, who is a citizen, by Adoption, of the Cherokee Nation; that a Male (male or female) child was born to me on the 11th day of Nov 1901; that said child has been named Earl Polson, and is now living.

Nellie Polson

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th day of Nov, 1901.

My Com. ex. May 24th 1902

J. J. Thurman
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Northern District.

I, Hanna Polson, a Midwife, on oath state that I attended on Mrs. Nellie Polson, wife of W. M. Polson, on the 11th day of Nov, 1901; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Earl Polson.

Hanna Polson

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th day of Nov, 1901.

My Com. ex. May 24th 1902

J. J. Thurman
NOTARY PUBLIC.

H 1s 0660.

20

IN RE

Application for Enrollment of

INFANT CHILD

Clark Shaw

as a citizen of the

Choctaw Nation.

Approved, November 9th 1901

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 20 1901

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Pearl Polson, born on the 11th day of Nov, 1901.
(Here insert name of child)

Name of Father: W. M. Polson, a citizen of the Cherokee Nation.

Name of Mother: Nellie Polson, a citizen of the Cherokee Nation.

Post-office, Cologah I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
(INDIAN TERRITORY.)
Northern District.

I, Nellie Polson, on oath state that I am Twenty one years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of W. M. Polson, who is a citizen, by Adoption, of the Cherokee Nation; that a female child was born to me on the 11th day of Nov 1901; that said child has been named Pearl Polson, and is now living.
(male or female)

WITNESSES TO MARK:

(Must be Two Witnesses.)

Nellie Polson

Subscribed and sworn to before me this 14th day of Nov, 1901.

My Com. ex. May 1st 1902 — G. G. Thompson, NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
(INDIAN TERRITORY.)
Northern District.

I, Hanna Polson, a Midwife, on oath state that I attended on Mrs. Nellie Polson, wife of W. M. Polson, on the 11th day of Nov, 1901; that there was born to her on said date a female child; that said child is now living and is said to have been named Pearl Polson.
(male or female)

WITNESSES TO MARK:

Hanna Polson

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th day of Nov, 1901.

My Com. ex. May 1st 1902 — G. G. Thompson, NOTARY PUBLIC.

Supl.-C.D.#660.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 6, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of NELLIE M. POLSON, ET AL., D.660, and also ROBERT B. HARRIS, ET AL., D.661, as citizens of the Cherokee Nation; Introduced on part of the applicants.

William M/ Polson was notified by registered letter February 15, 1902, that his application for the enrollment of his wife and children would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 6th day of March, 1902. Receipt has been acknowledged of Commission's letter, and the said William M. Polson this day, to-wit: the 6th day of March, 1902, appears in person:

Robert B. Harris was notified by registered letter February 15, 1902, that his application for the enrollment of him, self, wife and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 6th day of March, 1902. Receipt has been acknowledged of Commission's letter, and the said Robert B. Harris this day appears in person.

Mr. W. W. Hastings, Cherokee Representative, present.

Commission: The following Act of the Cherokee National Council is offered in evidence and mart a part of the record in the case of Robert B. Harris:

"An Act to readmit to citizenship the persons therein named. Be it enacted by the National Council that Margaret S. Locker, Martha Locker, R. M. Locker, L. D. Locker, and Nancy E. Beaty, Cherokees, be and they are hereby readmitted to the rights and privileges of Cherokee citizenship.

Tahlequah, C. N.
Nov. 22, 1872.

Approved
Will P. Ross,
Principal Chief.

I, W. H. Mayes, Asst. Ex. Secty. do hereby certify that the above is a true and correct copy of the law as appears on the records in this office.

W. H. Mayes,
Asst. Ex. Secy.

April 11th, 1893.
(SEAL)"

ROBERT B. HARRIS, being duly sworn, testified as follows on part of applicants:

COMMISSION:

Q What is your name? A Robert B. Harris.
Q How old are you? A 40.
Q What is your post office? A Oolagah, I. T.
Q You are an applicant before the Commission for the enrollment of yourself your wife and children as citizens of the Cherokee Nation? A Yes, sir.

WILLIAM M. POLSON, being duly sworn, testified as follows on part of applicants:

COMMISSION:

Q What is your name? A William M. Polson.
Q How old are you? A 32.
Q What is your post office addre ss? A Oolagah.
Q Are you the husband of Nellie Polson and the father of her children who are applicants before the Commission for enrollment as citizens of the Cherokee Nation? A Yes, sir.

RICHARD M. LOCKER, being duly sworn, testified as follows on part of the applicants:

BY ROBERT B. HARRIS:

Q What is your name? A Richard M. Locker.
Q What year was Nellie Locker born; she don't appear on the read mission there of 1872, the rest of the family was readmitted?
A I don't remember just what year she was born; been, born '72, I think, best of my knowledge that is when she was born.
Q She was born after the rest of the family was readmitted?
A Yes.
Q And when did she come back? A Come back here in 1887.

MR. HASTINGS:

Q Where was she born? A She was born there east of Gibson.
Q Fort Gibson? A Fort Gibson.
Q Tahlequah district? A Why I suppose it is; I don't know what district that is, but then that is my understanding.
Q Were you over there? A Yes, sir.
Q How old was she when she was taken back toaTexas, about when did they go back to Texas? A I don't know hust when, but I think it was about '76 or '78, '9.

MR. POLSON: Did your mother die there, Margaret S. Locker die there? A Yes, sir.
Q About what year did she die? A She died I guess '79.

WILLIAM M. POLSON, recalled, further testified:

MR. HASTINGS:

Q What is your name? A William Martin Polson.
Q How long have you been acquainted with your wife? A Well, sir, I guess I have been acquainted with her about nine years.
Q Where did you marry? A Married at Oolagah.
Q You have been living there since that time? A Yes, sir.
Q You know that she is a sister of this man Locker?
A Yes, sir.
Q Sister of this man Harris' wife? A Yes, sir; that is my understanding.
Q You have only known her though for the past nine years?
A Yes, sir.
Q How long have you been married? A Been married six years 12th of March

Mr. Harris: When Nellie Polson's parents died, that is her father, I didn't know her mother, she died before I knew her mother; her father died in 1884, and I brought her to the country with me a little child, she was seven years old; I believe she was nine years old; I taken her and brought her to the country and put her in the Orphan Asylum up here, Orphan School and she stayed there until she become of age, and she has been here ever since.

Commission of [illegible]

Q Where were you married to your wife? A I was married in Texas first.

Q What time was that? A That was in '88.
Q Did you know her for any length of time prior to your marriage?
A No, sir.
Q How soon did you come back to the Cherokee Nation?
A Come in 1887.
Q Did you bring Nellie Polson with you at that time?
A Yes, sir.
Q Have you and she been living here ever since that time; that is you and your wife ~~Mattie Pickard~~ ~~& xxxx xxxx~~ and Nellie Polson?
A Yes, sir; I was out for a year and a half or two years, but I left improvements here when I went away; didnUt go away to stay.
Q When waw it you went away? A '88 or '9. I went away; '89, I suppose.
Q Since your marriage to your wife under Cherokee law have you ever exercised the right of suffrage in any state or territory?
A No, sir.
Q Your wife was admitted to citizenship when? A '72.
Q where was she living at that time? A I don't know that, I suppose where about Fort Gibson though.
Q She was living in Texas when you married her? A Yes, sir.
Q You don't know how long she had been living there? A No, sir
Q Is there any statement you desire to make relative to your application? A No, sir, I believe not.

Commission of Mr. Polson:
Q Do you desire to make any statement relative to the enrollment of your wife? A No, sir, Mr. Hastings there went to school with my wife, up until she was of age.
Q Do you in behalf of your wife and children submit the case to the Commission for final consideration? A Yes, sir.

Commission to Mr. Harris:
Q Do you in behalf of your wife and children submit the case to the Commission for final consideration? A Yes, sir.

Commission to Mr. Polson:
Q It appears upon an examination of the testimony had when the original application was made that in answer to the question what was the name of your wife, you answered Minnie; was that answer correct, is your wife's correct name Minnie? A No, sir, it is Nellie.

Commission: It appears that when the applicant presented his original marriage license and certificate to the Commission at Claremore on the 22d day of October, the examining official stated "applicant presents a duly authenticated marriage license and certificate certifying that he was married to one Miss Minnie Locker, a citizen of the Cherokee Nation, on the 12th day of March, 1896" An examination of the license filed herewith shows that the applicant was married to Miss Nellie Locker, a citizen of the Cherokee Nation, on the 12th day of March, 1896.

Robert B. Harris in behalf of himself, wife and children and William M. Polson in behalf of his wife and children and the attorney for the Cherokee Nation in behalf of the Nation submit the cases to the Commission. The same are ordered closed and reported to the Commission for final decisions based upon the evidence now of record.

---oooOOOooo---

I hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of my stenographic notes there.

J C Reeson
Stenographer.

I hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and correct transcript of my stenographic notes thereof.

Stenographer.

(14)

MARRIAGE LICENSE. C.D. 660

CHEROKEE NATION, Cooweescoowee District.

To any Person Legally Authorized, Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. Wm. Polson, age 26 a citizen of the United States, and Miss Nellie Looker, age 20 years a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such Marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and seal of office, this the 10th day of March 1896.

Joe M. Lahay

Clerk Cooweescoowee District

Recorded on page 141 Book E. Record of Marriage of Cooweescoowee District, C.N.

Joe M. Lahay, Clerk,
Cooweescoowee District.
By Fred McDaniel, Dept. Clk.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., May 22, 1902 190

I, the undersigned, a Stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Nellie Polson as a citizen of the Cherokee Nation.

[signature]

CHEROKEE D 660.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Nellie Polson and her children Martin, Mattie, Earl and Pearl Polson as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 22,1900, William M. Polson appeared before the Commission at Claremore, Indian Territory and then and there made application for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his wife Nellie Polson and his minor children, Martin and Mattie Polson as citizens by blood of the Cherokee Nation. William M. Polson was listed on Cherokee Roll card, Field No. R 308, and is therefore not embraced in this decision. On March 6, 1902, at Muskogee, Indian Territory, further proceedings were had relative to this application.

The evidence shows that Nellie Polson is the daughter of Margaret S. Locker, who was admitted to citizenship in the Cherokee Nation on November 23, 1872. Her daughter Nellie was born to her after the date of her admission. Nellie Polson has resided in the Cherokee Nation all her life and is identified on the Cherokee Census roll of 1896.

On March 12, 1896, she was married to William M. Polson, and the above named children are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

Since the date of the original application, it appears, from affidavits of birth on file with this Commission, that two other children, Earl and Pearl Polson have been born to said Nellie and William M. Polson,

The authority of the Commission herein is defined in Paragraph 1, Section 21, of the Act of Congress, June 28, 1898 (30 Stats.,495).

It is therefore the opinion of the Commission that Nellie Polson, Martin Polson, Mattie Polson, Earl Polson and Pearl Polson are lawfully entitled to be enrolled as members by blood of the Cherokee Tribe of Indians in Indian Territory, and that their application for enrollment as such should be granted, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES
JAMES BIXBY
THOMAS B. NEEDLES
J. G. WILKINSON
WILSON J. ELLSWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 15, 1902.

Mr. William M. Polson,

Oolagah, Indian Territory,

Sir:-

You are hereby notified that the application of Nellie, Martin, Mattie, Earl and Pearl Polson for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the sixth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are requiredto supply the Commission with certificate of readmission of Marguerite S. Lokker, mother of Minnie.

Yours truly,

Cherokee-650
Register.

Acting Chairman.
xxxxxxxxxxxxx

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 22 1902

COPY .

Muskogee, Indian Territory, August 9, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Departmental letters of May 31, 1906 (I.T.D. 6186-1906), June 1, 1906 (I.T.D. 6240-1906), October 4, 1906, (I.T.D. 12228-1906), and January 12, 1906 (I.T.D.110-1906, relative to striking from the approved roll of citizens of the Cherokee Nation the names of 286 persons who are shown to have died prior to September 1, 1902, there are enclosed herewith affidavits as to the death of certain of said persons. The number of the enrollment card on which these persons are listed, the number opposite which they appear on the approved partial roll of Cherokee citizens, and their names are as follows:

Cherokees by blood.

Card No.	Roll No.	Name.
2440	6249	Winnie M. Williams
2442	6258	Hiram H. Williams
4261	10259	Reuben B. Tyner
4261	10263	Rew Wallace Tyner
4287	10318	Susie E. Gifford
4287	10319	William A. Gefford
4336	10387	Healey Crawford
4344	10408	Frank Tiblow
4347	10414	Robert Ellis
4388	10481	Cloid R. Dawson

Card No.	Roll No.	Name.
4392	10494	Clarence B. Walker
4400	10519	Mary Thornton
4434	10620	Frank Brown
4732	11387	George W. Ladley
4749	11346	Minnie Ward
4892	11684	Jane Lowther
4933	11797	Mark Murray
4964	11872	Minnie P. Jackson
5093	9575	Elmer McCay
5133	12304	Katie Silk
5172	12400	Rosa Cary
5202	12477	Robert M. Adair
5250	24108	Betty Victory
5289	12678	Roman L. Foreman
5341	12784	Jane McClain
5364	12841	Elizabeth Ward
5392	12907	Felix Quinton
5423	12986	Willey V. Miner
5487	13058	Annie C. Lemoir
5676	13641	Susie Pigeon
7241	17221	Joseph Johnson
9754	21921	Wallace A. Coast
9754	21966	Pearl Polson
10284	29295	Richard R. Jordan
10767	21876	Clide Morgan

Cherokee Freedmen.

Card No.	Roll No.	Name.
476	1215	Fannie Roach
911	2207	Cora Foreman
911	2209	Harrison Foreman Jr.

The Department's instructions of June 1, 1906 (I.T.D. 6240-1906), and October 4, 1906 (I.T.D. 12286-1906), as to the proceedings to be taken with reference to these persons have been complied with. Notice, under date of March 1, 1906, of the information received as to the date of the death of the

above named persons was given by publication for four consecutive issues in "The Cherokee advocate" and "The Claremore Messenger", both weekly newspapers of general circulation, the former published in the Cherokee Nation at Tahlequah, Indian Territory, and the latter published at Claremore, Indian Territory, in the Recording District in which the above named persons are shown to have resided at the time of their death. The first issue of this publication in "The Cherokee Advocate" was on March 8, 1906, and the first issue in "The Claremore Messenger" was on March 2, 1906. Attention was called to Section 21 of the Act of Congress approved July 1, 1902 (32 Stat., 716), and notice given to the heirs of the persons named, the administrators of their estates, or any other person having any interest in the estates of the deceased that the Commissioner would, at the expiration of sixty days from the date of the notice, recommend to the Secretary of the Interior the cancellation of the enrollment of said persons as citizens of the Cherokee Nation, unless conclusive evidence was presented to the effect that said persons were living September 1, 1902.

In addition to this notice a letter was on May 1, 1906, addressed to each of the above named persons, or his heirs, at his last known postoffice advising the information received, the law with reference to the making of the roll of

citizens of the Cherokee Nation, and that unless conclusive evidence was presented within thirty days from date to the effect that the decedent was living September 1, 1902, the Commissioner would recommend to the Secretary of the Interior the cancellation of the enrollment of said person as a citizen of the Cherokee Nation.

No information having been received that any one of the above named persons was living September 1, 1902, it is respectfully recommended that their names by stricken from the approved partial roll of citizens and freedmen of the Cherokee Nation in the possession of the Department and the Commissioner of Indian Affairs, that this office be authorized to strike their names from the copies of the approved partial roll in its possession; and that the applications for their enrollment as citizens of the Cherokee Nation be dismissed.

Respectfully,

Encl.H.J.-218
N.B.C.

Commissioner.

Through the

Commissioner of Indian Affairs.

(COPY)

LAND
69305-1906

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

COPY

August 23, 1906.

The Honorable,
The Secretary of the Interior.
Sir:

I have the honor to transmit a report from the Commissioner to the Five Civilized Tribes, dated August 9, forwarding affidavits as to the deaths of certain persons whose names appear on a partial roll of citizens and freedmen of the Cherokee Nation. Commissioner Bixby refers to Departmental letters of May 31, (I.T D.6186-1905), June 1, (IT.D.6240-1905), October 4, (I.T.D.12228-1905), and January 12, (I.T.D.110-1906) relative to striking from the approved roll of citizens of the Cherokee Nation the names of 286 persons who are shown to have died prior to September 1, 1902.

Commissioner Bixby reports that the Department's instructions as to the proceedings to be taken with reference to these persons, have been complied with, and no information having been received that any one of the persons enumerated in his report were living on September 1, 1902, he recommends that the names be stricken from the approved partial rolls of freedmen of the Cherokee Nation in the possession

of the Department and this office, and that he be authorized to strike their names from the copies of the approved partial rolls in his possession, and that the application for their enrollment as citizens of the Cherokee Nation be dismissed.

The affidavits have been examined in this office and are transmitted herewith, the office concurring in the Commissioner's recommendation.

Very respectfully,

F. E. Leupp.

Commissioner.

CTC-LC..

D.C.38132.
I.T.D.14714-1906.

L.R.S. DEPARTMENT OF THE INTERIOR, WASHINGTON. FHE.

August 29, 1906.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

August 9, 1906, you forwarded affidavits as to the deaths of 38 persons whose names appear on the approved rolls of citizens of the Cherokee Nation, and recommended that their names be stricken from the approved rolls of citizens and freedmen of the Cherokee Nation in the possession of the Department and the Indian Office, and that you be authorized to strike their names from the copies of the approved rolls in your possession, you having complied with departmental instructions as to the proceedings to be taken with reference to these persons.

Reporting August 23, 1906, the Indian Office concurs in your recommendation. A copy of its letter is inclosed.

The Department also concurs, and you are authorized to strike the names of said persons from the copies of the approved rolls in your possession, as follows:

Cherokees by blood..

Roll No.	Name.
6249	Winnie M. Williams
6250	Hiram R. Williams
10267	Reuben R. Tyner
10263	Lew Wallace Tyner
10316	Susie E. Gifford

Cherokees by blood.

Roll No.	Name.
10319	William A. Gifford
10387	Hooley Crawford
10408	Frank Tiblow
10414	Robert Ellis
10481	Cloid R. Dawson
10494	Clarence B. Walker
10519	Mary Thornton
10620	Frank Brown
11357	George W. Lasley
11386	Moses Ward
11684	Jane Lowther
11797	Mark Murray
11872	Minnie F. Jackson
9675	Elmer McCay
12306	Katie Silk
12400	Rosa Cary
12477	Robert M. Adair
28108	Betty Victory
12678	Noman L. Foreman
12784	Jess McClain
12841	Elizabeth Ward
12907	Felix Quinton
12985	Willey V. Mixer
13055	Annie C. Lenoir
13641	Susie Pigeon
17221	Joseph Johnson
21921	Wallace A. Coast
21988	Pearl Polson
29295	Richard R. Jordan
31876	Clide Morgan

Cherokee Freedmen.

Roll No.	Name.
1213	Fannie Roach
2207	Cora Foreman
2209	Harrison Foreman Jr.

Respectfully,

Jesse E. Wilson

1 inclosure.

Assistant Secretary.

Cherokee
9784.

Muskogee, Indian Territory, September 28, 1906.

Nellie Polson,

Oolagah, Indian Territory.

Dear Madam:

In connection with the application for the enrollment as a citizen of the Cherokee Nation of your daughter, Pearl Polson, who is shown to have died prior to September 1, 1902, you are advised that her name was stricken from the approved roll of citizens of the Cherokee Nation and the application for her enrollment dismissed by the Secretary of the Interior August 29, 1906.

Respectfully,

Commissioner.

LMC

COPY. Cherokee D 660.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of William W. Polson for the enrollment of his wife, Nellie Polson, and his four minor children, Martin, Mattie, Earl and Pearl Polson, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 46.

COPY.

Cherokee D 660.

Muskogee, Indian Territory, October 30, 1902.

William M. Polson,

Qolagah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Nellie Polson and your four minor children, Martin, Mattie, Earl and Pearl Polson, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby
Acting Chairman.

Register.

Enclosure H. No. 89.

Cher 9785

Lillie B. Allen

Cher 9785

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 23 1900

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CLAREMORE, I.T., OCTOBER 22d, 1900.

In the matter of the application of Lucius M. Holmes for the enrollment of LILLIE BELL ALLEN as a citizen of the Cherokee Nation; said Holmes being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Lucius M. Holmes.
Q What is your age, Mr. Holmes? A 57.
Q What is your postoffice address? A Foyil.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A No, sir.
Q For whom you apply for enrollment? A Lillie Bell Allen.
Q How old is Lillie Bell Allen? A Pretty near five years old.
Q What is her father's name? A Henry Allen.
Q Is he living? A Yes, sir.
Q Is he a citizen of the Cherokee Nation? Yes, sir.
Q By blood? A Yes sir.
Q What is the name of her mother? A Maggie Allen.
Q Is she living? A Yes, sir.
Q Is she a citizen by blood? A No, sir.
Q They are both living are they? A Yes, sir.
Q Where do they live? A Henry Alles lives up close to Coffeyville in the Cherokee Nation and Maggie, she lives over here.
Q Have you any proof of marriage of Henry Allesn to his wife Maggie?
A No, sir, I have not.
Q Are you the legal guardian of that child? A Yes, sir.
Q He is a Cherokee by blood is he, Henry Allen ? A Yes, sir.
Q What is his father's name? A I do not know his father name.
Q Don't know his mother's name? (No response.)
1880 enrollment; page 60, #61, Henry Allen, Cooweescoowee.
Q You do not know when he married his wife, Maggie? A No, I do not.
Q Did she always go by the name of Lillie? A Yes, sir.
Q You say she is on the roll of 1896? A That is what they say.
Q Did she lived out in Oklahoma? A She was out there a while ~~in~~ but never lived out there. She was not away over six months
Q The childs name is not on the roll of 1896.

Com'r Needles:--The applicant applies for the enrollment of one Lillie Bell Allen, five years of age. He avers that she is a child of Henry Allen by his wife, Maggie, and the name of Henry Allen is found upon the authenticated roll of 1880. The name of Lillie Allen is not found upon the census roll of 1896, neither does he submit any proof of marriage ~~be~~ between Henry Allen, the averred father of Lillie B., and Maggie, the averred mother of Lillie B., consequently final judgment as to the enrollment of said Lillie B. Allen is suspended and her name will be placed upon a doubtful card, awaiting proof of marriage ~~be~~ between her father and mother, and proof as to residence, her name not being found upon the census roll of 1896.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 23d day of October, 1900.

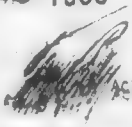
Commissioner.

D665

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 23 1900



Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 22 1900 1900.

Name Fannie D. J.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Lillie B Allen	Dist.	Year 1894	Page	No.	Age 5
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Certificate of Marriage between Henry and Maggie Allen to be supplied after application to Department

Henry Allen et al.---2.

I. O. Rosson, being first duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

SUPPLEMENTAL TESTIMONY to go with Cards #4494 and D 665.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CLAREMORE, I.T., OCTOBER 25th, 1900.

SUPPLEMENTAL testimony in the matter of the application of Lillie B. Allen, D 665, and Henry Allen, et al., #4494, for enrollment as citizens of the Cherokee Nation:

HENRY ALLEN, being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your name? A Henry Allen.
Q What is your age? A Born in 1874, 26 years old.
Q What is your post office? A Lenapah.
Q In what district do you live? A Coowescoowee.
Q Are you the Henry Allen who applied for the enrollment of himself, wife and two children at Nowata, on the 16th of October? A Yes, sir, I am the man.
Q You testified in your application that you had never been married except to your present wife? A No, I never; I was not asked such question. The Commissioner asked me if my wife was ever married before.
Q You were asked if you were ever married before and then asked if she was ever married before and you answered "no" to both questions. There is no use disputing these questions.
How often now do you state that you have been married? A I have been married twice.
Q Give me the name of your first wife? A Her name was Maggie Tolle before I married her.
Q Is she white woman or Cherokee? A White woman.
Q Is she livinger dead? A She is living.
Q How old is she now? A Well, sir, I couldnot tell you.
Q When did you marry her? A To the best of my knowledge, it was in 1894.
Q How long did you and she live together? A About six months.
Q Have you a certificate of your marriage? A No, sir, I never got any certificate.
Q Who married you? A An ordained Minister by the name of J. M. Hiveley.
Q Is he living? A Yes, sir, I suppose he is.
Q Where is he living? A He used to live here, but he moved off.
Q Of what denomination was he? A He was a Methodist.
Q You have one child of that marriage? A She has got one. We lived together about six months to the best of my knowledge.
Q What time in 1894 did you marry her? A In October to the best of my knowledge.
Q You say you married in 1894 or was it in 1895? A 1894.
Q You say it was 1894? A Yes, sir.
Q Did you ever get a divorce from that wife? A Yes, sir, I got A. M. Calloway and A. H. Norwood to get my divorce.
Q Where does he (Norwood) live? A Dewey.
Q Does Calloway live there? A He lives here in town.
Q Did he ever send you a copy of the decree of divorce? A No, sir, never did; they told me it was law.
Q Where did you bring suit for divorce? A Here in town.
Q When did you understand that they secured a divorce from your first wife? A It was about, I guess it must have been two weeks to the best of my knowledge.
Q In what year? A It was in 1894.
Q You married in October and lived together six months, that carried you into [illegible]

Q How long after you understood that you had a divorce was it until you marriedyour present wife? A It was May, 1895.
Q You married very soon after you understood you had a divorce? A Yes, sir, when I understood it was safe to marry. I went to them and asked them.
Q What kind of a proceeding was this when you got what you call a divorce from your first wife? A Arbitration.
Q Did you get a copy of it? A No, sir.
Q What was agreed to? A We divided everything there was.
Q Did you divide your property? A Yes, sir, she took half and I got half.
Q Did you have a written copy of it? A Yes, sir.
Q Did you have a copy of it? A No, sir, Mr. Calloway had one.
Q You have no proof of what you got? A No, sir.
Q Nothing but somebody's word? A No, sir, that is all.
Q Now, can you explain why you stated to me in your former examination at Newata, that you had never been married except to your present wife? A I beg your pardon, I misunderstood you.
Q It was put to you in two forms, first you were asked if you were ever married except to your present wife, and you said no; and then you were asked if she was ever married except to you to keep the matter clear in your mind, and you said no; so if you thought that in the first question that was asked, your attention would have been brought to the fact of the second marriage. Did not you realize that you did not get a divorce from that first wife, and did not you try to deceave this Commission about your marriage? I want to know why you give that kind of answer? A There was so much fuss that I misunderstood it. It was just a misunderstanding with me.
Q There was no fuss in the room, there was good order kept.
Q This separation that you had from your first wife; did you leave her or did she leave you? A She left me.
Q Were you farming? A Yes, sir.
Q Did she get up and go away from you? A Yes, sir, she left me.
Q Did she leave you and the house and premises? A Yes, sir.
Q Where did she go? A She went to her sister's.
Q How far was that? A To the best of my knowledge, it is four or five miles.
Q How long after her leaving was it until you married again? A Well, sir, I got my divorce.
Q Well, how long was it after her leaving you until you were told by the lawyers that you had a divorce? A To the best of my knowledge it was about three weeks.
Q You think about three weeks after she left you the lawyers told you that you had a divorce? A Yes, sir.
Q And how long was it after you got your information from the lawyers until you married? A It was a pretty good while
Q About how long? A To the best ofmy knowledge, I could not just exactly tell.
Q Three months, six months? A It was the 9th of May, 1895.

Com'r Brockinridge:--A copy of this evidence will be filed in the applicant for the enrollment of Lillie B. Allen, D 665, and a copy will also be filed in the matter of the application of Henry Allen, et al., 4494, and the decision in regard to the enrollment of the wife and children of Henry Allen, will be taken under consideration and a note is ordered to be made on the card referring to this testimony and stating that the enrollment of his present wife and children is doubtful, omitting proof of divorce from his former wife and satisfactory evidence of the legality of his present marriage. Attention is called to Section 684 of the Enrollment laws of 1896 and Section 683 where it is stated in what manner a divorce [illegible]

--oo0oo--

Henry Allen et al.---X.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 26th day of October, 1906.

Commissioner.

E

20

IN RE

Application for Enrollment of

INFANT CHILD

Lillie B. Allen

as a citizen of the

Cherokee Nation.

Approved, Apr. 4 1900

Commissioner.

FILED

NOV 1 1900

Card No 4665

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Willie B. Allen (Here insert name of child.), born on the 19th day of October, 1902

Name of Father: Henry Allen, a citizen of the Cherokee Nation.

Name of Mother: Maggie Henry, a citizen of the Cherokee Nation.

Post-office, Talequah I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Tahlequah District. }

I, Maggie Henry, on oath state that I am 21 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Jesse Henry, who is a citizen, by Blood, of the Cherokee Nation; that a Female (male or female) child was born to me on the 19th day of October, 1902; that said child has been named Willie B. Allen, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Maggie Henry.

Subscribed and sworn to before me this 30th day of October, 1902.

Commission Expires January 17th 1903

John A. Taylor
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Tahlequah District. }

I, Malissa A Holmes, a Midwife, on oath state that I attended on Mrs. Maggie Henry, wife of Jesse Henry, on the 19th day of October, 1902; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Willie B. Allen.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Malissa A. Holmes

Subscribed and sworn to before me this 30th day of October, 1902.

John A. Taylor
NOTARY PUBLIC.

D 666.

R.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Chelsea, I.T. November 18th, 1900.

IN THE MATTER OF THE APPLICATION OF LILLIE B ALLEN ETC.--
CHEROKEE CARD D 666. Supplemental proceedings.

Lucius M. Holmes, being sworn by Commissioner C. R. Breckinridge, was examined by the Commission and testified as follows:

Q What is your name? A Lucius M. Holmes.
Q What is your post office address? A Foyil.
Q You are not a recognized citizen of the Cherokee Nation, are you? A No, sir.
Q Are ya the guardian of Lillie B. Allen, the child of Henry Allen and Maggie Henry? A Yes, sir.
Q This child is living with you is it? A Yes, sir.
Q You made application on the 22nd day of October for this child 's enrollment? A Yes, sir.
Q You stated at that time the name of the child's mother was Maggie Allen. That was a mistake? A Yes, sir.
Q The correct name of this childs mother is Maggie Henry? A Yes, sir. She has been married since she married to Allen, and is now married to a man by the name of Henry.
Q Then the statement you made at that time that the name of her mother is Allen, is an error? A Yes, sir.

---o---

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctlyrecorded the supplemental proceedings in this application and the time and place abovementioned, and that the foregoing is a correct and complete transcript of his stenographic notes there of.

W. S. Mullen

Subscribed and sworn to before me this 20th day of November 1900.

Commissioner.

Supl.-C.D.#566.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 6, 1902.

SUPPLEMENTAL in the matter of the enrollment of LILLIE B. ALLEN as a citizen of the Cherokee Nation:

The applicant's guardian, Lucius M. Holmer, was notified by registered letter February 15, 1902, that the application of his ward, Lillie B. Allen, would be taken up for final consideration of the Commission at its offices in Muskogee, Indian Territory on the 6th day of March, 1902; and that on said date he might appear and introduce any further testimony affecting said application. The case having this day been called, the applicant's guardian failing to respond either in person or by attorney, it is directed that the same be closed, and that it be reported to the Commission for a final decision based upon the evidence now of record.



Commissioner.

J.O.R.

21665

THE FIVE
FILE
23

Fee in
C.D. 665.

EXECUTIVE DEPARTMENT

CHEROKEE NATION.
TAHLEQUAH, INDIAN TERRITORY.

To Whom it may concern:

This is to certify that I,J.M.Hively, an ordained deacon in the M.E.Church,South, did on Oct.____1894, join together in Holy Matrimony, Henry Allen ,a Cherokee Indian age 21 years Miss Maggie Teele, a white lady aged 16 years, both of Claremore Ind. Ter.

My credentials are recorded in the 1st,Judicial Dist. at Muscogee,I.T. in Book A, page 138.

This Nov.19th, 1894,
Adair, I.T.

J.M.Hively,
Officiating Minister.

I hereby certify that the above is a true copy of the original recorded this Nov.22-1894.

Joe.M.LaHay, Clerk,
Coowescoowee District,
By Fred McDaniel, Dep.Clerk.

I hereby certify that the above is a true and correct copy of the certificate of marriage of Henry Allen and Maggie Teele ,taken from page 20 of the record of marriages of Coowescoowee District,Cherokee Nation.Said record by an act of the National Council entitled "An act providing for the transfer of certain records to the the Executive Department and making them a part thereof", being a part of the records of this Department and in my custody.

In testimony whereof, I hereunto set my hand and affix the seal of the Cherokee Nation this 11th, day of June, A.D.1902,

A.B Cunningham
Assistant Secretary.

A very questionable as to their legal separation; the testimony on this above that the first husband for husband, and if so the forfeited per right to dispose of Chesapeake Insurance Company; the alimony Decem-
ber 16, 1898, none else in 1898, married Jesse Henry and he enrolled as a Chesapeake Insurance Company Member 2592 and as above observed she must get the Chesapeake Insurance Company her first marriage to Henry Allen, its all, and if the husband dies, as he testifies, she forfeited her right to enrollment as a Cherokee by intermarriage and if she had no legal divorce from her first husband her second marriage is, of course, illegal and her children enrolled with her on Mollie Chisholm Deed Number 2592 are not thereby entitled.

The testimony shows that Chesapeake Deed Number

INDEXED.

COMMISSION TO THE FIVE TRIBES.

No.	Received	Answered	Book	Page
1096				
1902	JAN 24 1902			

Hastings, W. W.
Baugh, J. L.,
Muskogee, Ind. Ter.,
Jan. 24, 1902.

Ask that three copies of this letter be filed in each Cherokee Doubtful No. 665, Regular Cherokee No. 2598, and Regular Cherokee No. 1494.

Muskogee Ind. Ter., January 24th 1902.

To The Honorable Commission to the Five Civilized Tribes,

Muskogee, Indian Territory. Cherokee Division.

Gentlemen:

In looking over the case of Lillie B. Allen, listed on a Cherokee Doubtful Card No 665, the testimony discloses the fact that her mother is a white woman; that her father is a Cherokee by blood but that her father had been previously married to a white woman and the proof is very questionable as to their legal separation; the testimony on file shows that the first wife abandoned her husband, and if so she forfeited her right to citizenship as a Cherokeeby intermarriage; she since December 16, 1895 , some time in 1896, married Jesse Henry and is enrolled as a Cherokee by intermarriage on Regular Cherokee Card Number 2592 and as above observed she must get her citizenship through her first marriage to Henry Allen, ifat all, and if she abandonedhim, as he testifies, she forfeited her right to enrollment as a Cherokee by intermarriage and if she had no legal divorce from her first husband her second marriage is, of course, illegal and her children enrolled with her on Regular Cherokee Card Number 2592 are not therefore entitled.

The testimony further shows that,Cherokee Doubtful Card Number 665, Henry Allen subsequently married another white woman and that she is enrolled with him on Regular Cherokee Card Field Number 4494 and if he was not divorced from his first wife he was not in a position to contract a second marriage and therefore she could acquireno rights as a citizen by intermarriage unless a legal marriage could be proven.

Because of there being three cases affected by this evidence in this case we ask that the three copies of this letter be filed in each Cherokee Doubtful No 665; Regular Cherokee No 2592 and Regular Cherokee No 4494.

Respectfully Submitted,

N. N. Hawkins

J. T. Rample

Attorneys for the Cherokee Nation.

Supl.-C.N.7665.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 6, 1902.

SUPPLEMENTAL In the matter of the enrollment of LILLIE B. ALLEN as a citizen of the Cherokee Nation.

The applicant's guardian, Lucius M. Palmer, was notified by registered letter February 15, 1902, that the application of his ward, Lillie B. Allen, would be taken up for final consideration of the Commission at its offices in Muskogee, Indian Territory on the 6th day of March, 1902; and that on said date he might appear and introduce any further testimony affecting said application. The same having this day been called, the applicant's guardian failing to respond either in person or by attorney, it is directed that the same be closed, and that it be reported to the Commission for a final decision based upon the evidence now of record.

Commissioner.

J.G.R.

Cherokee D 665. (NB 16 R)

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lillie B. Allen as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 22,1900, Lucius M. Holmes appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment of Lillie B. Allen as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Claremore, Indian Territory, on October 25,1900; at Chelsea, Indian Territory, on November 19,1900 and at Muskogee, Indian Territory, on March 6,1902.

The evidence shows that the said Lillie B. Allen is the minor child of Henry Allen, a Cherokee citizen by blood, and Maggie Allen, a white woman, who were lawfully married in the month of October, 1894. The said Henry Allen is identified on the 1880 authenticated tribal roll of the Cherokee Nation as a native Cherokee. The said Lillie B. Allen is identified by a birth affidavit on file with this Commission.

It further appears that the father and mother of the applicant have separated, and that said applicant was living with one Lucius M. Holmes at the date of the application herein, in the Cherokee Nation, and that she has resided in said Nation all her life.

It is, therefore, the opinion of this Commission that Lillie B. Allen should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 15, 1902.

Mr. Lucius M. Holmes,

Foyil, Indian Territory,

Sir:-

You are hereby notified that the application of Lillie B. Allen

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the sixth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certificate of the marriage of the parents of Lillie B. Allen.

CherokeeD-668
Register.

Yours truly,

Acting Chairman.
Commissioner in Charge.

Cherokee-D-668

Muskogee, Indian Territory, May 13, 1902.

Mr. Lucius M. Holmes,

Foyil, Indian Territory.

Sir:

In the matter of your application for the enrollment of Lillie B. Allen as a citizen by blood of the Cherokee Nation, you are required to file with the Commission a certificate of the marriage of the parents of Lillie B. Allen or a duly certified copy thereof.

You will be allowed fifteen days from receipt hereof within which to comply with this requirement.

Yours truly,

Acting Chairman.

Register.

Cherokee-D-668

Muskogee, Indian Territory, May 13, 1902.

Mr. Joe M. La May,

Claremore, Indian Territory.

Sir:

In the matter of the application for enrollment of Lillie B. Allen as a citizen by blood of the Cherokee Nation it is found upon an examination of the papers in the case that a certificate of the marriage of the parents of said Lillie B. Allen or a duly certified copy thereof is required. You will please give this matter prompt attention.

Yours truly,

Acting Chairman.

COPY.

Cherokee R 668.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Lucius M. Holmes for the enrollment of Lillie B. Allen as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 41.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D 665.

Muskogee, Indian Territory, October 30, 1902.

Lucius M. Holmes,

Foyil, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of Lillie B. Allen as a citizen by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.
Commissioner in Charge.

Register.

Enclosure H. No. 60.

COPY.

665

Cherokee B 189.

Muskogee, Indian Territory, October 30, 1902.

Joe M. LaHay,

Attorney for Lillie B. Allen,

Claremore, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting the application of Lucius M. Holmes for the enrollment of Lillie B. Allen as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure M. No. 81.

No.

Received from the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of

for enrollment as of the Cherokee Nation.

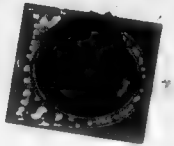
Cherokee No.

[illegible] Ind. T[illegible]

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, $300.





Lucius M. Holmes,

Foyil, Indian Territory.

Cher 9786
Lucy J. Scoggins

Cher 9786

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 24 1906

"R"

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CLAREMORE, I.T., OCTOBER 25th, 1900.

IN THE MATTER OF THE APPLICATION OF Columbus Scoggins for the enrollment of his wife and children as citizens of the Cherokee Nation, and the said Scoggins appearing before the Commission, and being sworn by Commissioner, C. R. Breckinridge, testified as follows:

By the Commission:
Q What is your name; your full name? A Columbus Scoggins.
Q How old are you? A Thirty nine.
Q What is your Postoffice? A Pryor Creek.
Q For whom do you apply? A My wife and six children.
Q What is your wife's name? A Lucy Jane Scoggins.
Q How old is your wife? A She is thirty seven.
Q Is she a Cherokee by blood? A Yes sir.
Q What district does she reside in? A Coowescoowee.
Q How long has she resided there? A Ever since 1883.
Q How long has your wife lived in the Cherokee Nation?
A She has lived eighteen years.
Q Was your wife admitted to citizenship by the Cherokee Council?
A Her application is filed with R. L. Wayburn's.
Q Was your wife ever married previous to her marriage to you?
A No sir.
Q Were you ever married previous to the time you married her?
A No sir.

The applicant presents a certificate, signed by B. W. Alberty, Assistant Executive Secretary of the Cherokee Nation, showing that various persons were admitted to citizenship by what is known as the Chambers Court, on the 26th day of March, 1879; among which names appears the name of Lucy J. Wayburn.

Q Is the Lucy J. Wayburn named in this certificate your wife?
A Yes sir.
Q What is her father's name? A Bob Wayburn.
Q Is he living? A No sir.
Q What is your wife's mother's name? A Mary Ann.
Q Is she living? A No sir.
Q Was your wife's father a Cherokee or a white man?
A He was a white man.
Q Her mother was a Cherokee? A Yes sir.
Q What are the names of your children for whom you wish to apply; the eldest first? A Effie Scoggins.
Q How old is this child? A Sixteen.
Q What is the name of the next one? A Omer.
Q How old is he? A It is a girl; no sir, no middle name.
Q What is the name of the next one? A Lola.
Q How old is she? A Ten.
Q What is the name of the next child? A Jesse E.
Q How old is this child? A Eight.
Q What is the age and name of the next one? A Una.
Q How old? A Five.
Q What is the name of the next one? A Willie; a girl; no middle name.
Q How old is Willie? A Eighteen months old.
Q Have you any more children? A That is all.
Q Are these children all living and living with you? A Yes sir.

[redacted] Cherokee Nation, [redacted] District

ried in Texas.

By Mr. Cale Starr, Cherokee Representative:
Q When did your wife remove to and permanently locate in the Cherokee Nation? A In 1895.
Q Where did she live previous to that time? A In Texas.
Q Where were you married? A In Montague County, Texas.
Q How many of these children were born in Texas? A None of them.
Q All born here? A Yes sir.
Q Did you say your wife removed to and located in the Cherokee Nation in 1895? A We were married in 1881, and came here in 1883: And have been here ever since.
By the Commission:
Q Then the statement ~~that~~ you made that you moved here in 1895 was incorrect? A We was married in 1881, and came here in 1883, and have been here ever since.
Q Then you were mistaken in saying you came in 1895? A Yes sir.

By Mr. Cale Starr, Cherokee Representative:
Q You have had no other home except the Cherokee Nation since 1883? A No sir.

By the Commission:
The applicant applies for the enrollment of his wife and ~~her~~ children: He presents a certificate, showing that his wife was admitted to citizenship in the Cherokee Nation, in the year 1879: He did not remove to the Cherokee Nation until 1883, or four years after the date of the Act admitting his wife to citizenship in the Cherokee Nation. His wife, Lucy Jane Scoggins is identified on the roll of 1896, as a native Cherokee; and his five older children are also identified on the roll of 1896, as native Cherokees: For the further consideration of the Commission, the applant's wife, Lucy Jane Scoggins and her five older children will be duly listed for enrollment upon a Doubtful card, as Cherokees by blood, and when the Commission is supplied with a properly executed affidavit as to the birth of the child, Willie Scoggins, she also will be listed upon a doubtful card as a Cherokee citizen by blood.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R A Crawford

Subscribed and sworn to before
me this 25th day of October, 1900.

M D Lane

NOTARY PUBLIC.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 25 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 25 1900

Name Lucy J. Dowerful

District Tyro Creek Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Lucy J. Doggins nee Wayburn

District COOWEESCOOWEE. Year 1896 Page 262 No. 4609

Citizen by blood yes Mother's citizenship

Intermarried citizen no

Married under what law Date of marriage

License Certificate

Names of Children:

1 Effie Doggins	Dist. COOWEESCOOWEE.	Year 1896	Page 262	No. 4611	Age 16
2 Omer "	Dist. COOWEESCOOWEE.	Year 1896	Page 262	No. 4612	Age 14
4 Lola "	Dist. COOWEESCOOWEE.	Year 1896	Page 262	No. 4613	Age 10
5 Jesse E. "	Dist. COOWEESCOOWEE.	Year 1896	Page 262	No. 4614	Age 8
6 Elna "	Dist. COOWEESCOOWEE.	Year 1896	Page 262	No. 4615	Age 5
7 Willie "	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

1 on 1896 roll as Lucy J. Doggins
2 on 1896 roll as Omar Doggins
4 " " " " Emma " "
Dis names on 1896 roll as Doggins
Birth affidavits to be supplied
Certificate of residence filed with Dec 26

20

IN RE

Application for Enrollment of

INFANT CHILD

Willie Scoggins

as a citizen of the

Cherokee Nation.

Approved, 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 13 1900

CHAIRMAN

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Willis Scoggins, born on the 6 day of April, 1899.
(Here insert name of child.)

Name of Father: C. C. Scoggins, a citizen of the Cherokee Nation.

Name of Mother: Lucy J. Scoggins, a citizen of the Cherokee Nation.

Post-office, Copan Creek

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } ss.
Northern District. }

I, Lucy J. Scoggins, on oath state that I am 37 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of C. C. Scoggins, who is a citizen, by Adoption, of the Cherokee Nation; that a female child was born to me on the 6 day of April, 1899; that said child has been named Willis Scoggins, and is now living.
(male or female)

WITNESSES TO MARK:

1. E. E. Hall
2. F. M. Burr.
(Must be Two Witnesses.)

Lucy J. Scoggins her X Mark

Subscribed and sworn to before me this 11 day of Sept, 1900.

D. E. Elliott
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } ss.
Northern District. }

I, Carrie Watkins midwife, on oath state that I attended on Mrs. Lucy J. Scoggins, wife of C. C. Scoggins, on the 6 day of April, 1899; that there was born to her on said date a female child; that said child is now living and is said to have been
(male or female)
named Willis Scoggins.

WITNESSES TO MARK:

1. E. E. Hall
2. F. M. Burr.
(Must be Two Witnesses.)

Carrie Watkins

Subscribed and sworn to before me this 9 day of March, 1901.

D. E. Elliott
NOTARY PUBLIC

NOTARY PUBLIC

R

C. D-702

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 7,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Lucy J. Scroggins for th e enrollment of himself and children as Cherokee citizens.

Appearances:
Joe M. Lahay, Claremore, I.T., attorney for applicants;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant's husband, Columbus Scroggins, was notified by registered letter February 17th, 1902 that the application for the enrollment of himself wife and children ascitizens of the Cherokee Nation would be taken up by the Commission for final consideration at its offices in Muskogee, Indian Territory on the 7th day of March,1902. Receipt has been acknowledged of the Commission's letter and the applicant this day, to-wit: March 7,1902, appears by her attorney, Joe M. Lahay.

It is directed that a copy of the certificate filed in the matter of the application of Robert L. Waybourne for the enrollment of himself wife and children, D-698, showing the admission of said Robert L. Waybourne to citizenship in the Cherokee Nation on the 26th dayof March,1879, be filed with and made part of the record in this case.

The attorney for the applicant requests and will be granted 20 days in which to file brief in the case, one copy with the Commission and one copy with the representative of the Cherokee Nation.

The attorney for the applicant and the representative of the Cherokee Nation present submit the case; same is ordered closed and reported to the Commission for final decision, based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M.D.Green

A Copy 1902

Marriage License

C. C. Scoggins

and

Lucy Warbourn

MARRIAGE LICENSE.

The State of Texas.

Montague County.

TO ALL WHO shall see these Presents,GREETING:

Know Ye,That any person legally authorized to celebrate the Rites of Matrimony,is hereby licensed to join in marriage,as husband and wife,C.C.Scoggins and Lucy Waybourn and for so doing this shall be his authority.And due return make to the Clerk of the County Court,in sixty days hereafter,certifying your action under this License.

Given under my hand and seal of office,this Nov.28-1881.

(Seal) W.M.Williams

Clerk Co. Court.

++++++++++++++++++++++

I,P.H.Tompkins hereby certify,that I joined in marriage C.C.Scoggins,and Lucy Waybourn on this 28 day of November 1881.

P.H.Tompkins J.P.Precinct No.1.

Montague Co.Tex.

Recorded Dec.14th.1881.

W.M.Williams Clerk by J.A.Givens Dept.

++++++++++++++++++++++

The State of Texas }

County of Montague } I,S.P.Strong,Clerk of the County Court,in and for Montague County, Texas,do hereby certify,that the above,and foregoing, is a true and correct copy of the Marriage License of C.C.Scoggins, and Lucy Waybourn,and the Magistrates certificate thereto,as the same appears of record in the Marriage Records of said County,in Vol.B. page 356.

In witness whereof I have hereunto set my hand officially,at office in the town of Montague,this the 5th.day of Dec.A.D.1900.

S.P.Strong Clerk.

Commissioner of Deeds.

I, [illegible], Clerk of the Superior Court of [illegible] County, do hereby certify that [illegible] personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the [illegible] day of [illegible], A. D. 1907.

[illegible]

Notary Public.

My commission expires [illegible]

[illegible]

[illegible]

Given under my hand and the Great Seal of the State of North Carolina, this the [illegible] day of [illegible], A. D. 1907.

[illegible]

Secretary of State.

[illegible]

[illegible]

[illegible]

To be filed with. - D. #703.

Executive Office Cherokee Nation,

Tahlequah, I. T.

I, B. W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the following named persons: W. L. Wayburn, M.M.Wayburn, J.F.Wayburn, Lucy J. Wayburn, L.W.Wayburn, R. L. Wayburn, Betsy Ann Wayburn, Martha A. Wayburn, and Mary Alice Wayburn shows on the Citizenship records of what is known as the "Chambers Court" of the Cherokee Nation, to have been admitted to Cherokee citizenship on the 26th day of March, 1878; that said record is filed in this office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 23rd day of October, 1900.

(signed) B. W. Alberty,

Assistant Executive secretary,

Cherokee Nation.

I, A. R. Cheever, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I made the foregoing copy and that the same is a true and complete copy of the original manuscript.

A R Cheever

Cherokee- D-702

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Columbus Scoggins for the enrollment of his wife, Lucy J. Scoggins, and his six minor children, Effie, Omer, Lola, Jesse E., Una and Willie Scoggins, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 25, 1900, Columbus Scoggins appeared before the Commission at Claremore, Indian Territory, and then and there made personal application for the enrollment of his wife, Lucy J. Scoggins, and his six minor children, Effie, Omer, Lola, Jesse E., Una and Willie Scoggins, as citizens by blood of the Cherokee Nation. Further proceedings were had on March 7, 1902 at Muskogee, Indian Territory.

It appears from the evidence in support of this application that Lucy J. Scoggins was admitted to citizenship in the Cherokee Nation on March 26, 1879 under the name of Lucy J. Wayburn, and that she has resided in the Cherokee Nation ever since 1883. It further appears that Lucy J. Scoggins and her five minor children, Effie Omer, Lola, Jesse E. and Una Scoggins, are identified on the 1896 Census Roll of the Cherokee Nation. The minor child, Willie Scoggins is identified by a birth affidavit on file with this Commission.

The authority of the Commission herein is defined in Par. 1, Sec. 21, of the act of Congress, June 28, 1898(30 Stats., 495).

It is therefore the opinion of this Commission that Lucy J. Scoggins, Effie Scoggins, Omer Scoggins, Lola Scoggins, Jesse E. Scoggins, Una Scoggins and Willie Scoggins are lawfully entitled to be enrolled as members by blood of the Cherokee Tribe of Indians in Indian Territory, and that the application for their enrollment as

Cherokee-D-702

such should be granted, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

COPY.

Cherokee D 708.

Muskogee, Indian Territory, September 29, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Columbus Scoggins for the enrollment of his wife, Lucy J. Scoggins, and his six minor children, Effie, Omer, Lola, Jesse E., Una and Willie Scoggins, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 48.

COPY.

D - 705.

Muskogee, Indian Territory, October 24, 1902.

Joe M. LaMay,

Attorney for Lucy J. Scoggins and others,

Claremore, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Columbus Scoggins for the enrollment of his wife, Lucy J. Scoggins, and his six minor children, Effie, Omer, Lola, Jesse E., Una and Willie Scoggins, as citizens, by blood, of the Cherokee Nation.

Respectfully,

T. Brecinridge

Acting Chairman.

Commissioner in Charge.

Enclosure C. No. 14.

Register.

Cherokee 3 - 706.

COPY.

Muskogee, Indian Territory, October 23, 1902.

Columbus Scoggins,

Pryor Creek, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Lucy J. Scoggins, and your six minor children, Effie, Omer, Lola, Jesse B., Una and Willis Scoggins, as citizens by blood of the Cherokee Nation.

Respectfully,

T. Brecht

Acting Chairman.

Enclosure C. No. 13.

Register.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, OKLAHOMA

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 17, 1902.

Mr. Columbus Scroggins,

Pryor Creek, Indian Territory,

Sir:-

You are hereby notified that the application of Your wife Lucy J., and six minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on on the seventh day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certified copy of record of readmission of Lucy J.

Yours truly,

Cherok e D-702
Register.

Acting Chairman.

Commissioner in Charge.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee D - 702.

Muskogee, Indian Territory, October 25, 1902.

Columbus Scoggins,

Pryor Creek, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Lucy J. Scoggins, and your six minor children, Effie, Omer, Lola, Jesse E., Una and Willie Scoggins, as citizens by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.

Enclosure C. No. 13.

Register.

Received from the Commission to the Five Civilized Tribes one copy of the testimony in the

matter of the application of

for enrollment as of the Cherokee Nation.

Cherokee No.

Cher 9787

Frederick E. Rogers

Cher 9787

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 29 1906

a

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CLAREMORE, I. T., OCTOBER 25th, 1900.

IN THE MATTER OF THE APPLICATION OF Elizabeth R. Rogers for the enrollment of her son, Frederick E. Rogers as a citizen of the Cherokee Nation, and the said Elizabeth R. Rogers, appearing before the Commission and being sworn by Commissioner, C. R. Breckinridge, testified as follows:

By the Commission:
Q What is your name? A Elizabeth R. Rogers.
Q How old are you? A Fifty six.
Q What is your Postoffice? A Claremore.
Q What district do you reside in? A Coowescoowee.
Q How long have you resided there? A Six years.
Q Where did you live prior to that time? A Ft. Gibson.
Q How long have you lived in the Cherokee Nation? A Fifteen or sixteen years.
Q Where did you live before you came to the Cherokee Nation?
A In Georgia.
Q Do you make application for enrollment as a citizen by blood?
A I am not a citizen: I am applying for my little boy, Frederick E. Rogers.
Q You do not apply for yourself? A No sir.
Q How old is your son? A Sixteen years old.
Q Is this child living and living with you? A Yes sir.
Q Where was he born? A He was born in Georgia.
Q He is your own child? A Yes sir.
Q Who is his father? A G. M. Rogers.
Q Was he a Cherokee by blood? A Yes sir.
Q Is he living or dead? A He died last April, the 23rd day.
Q Have you any evidence of your marriage to G. M. Rogers? A I have no certificate, if that is what you mean: We were married thirty or forty years ago back in Georgia.
Q Where were you living at the time of your marriage? A In Georgia.
Q Was your husband admitted to citizenship when he moved to the Cherokee Nation sixteen years ago? A Yes sir.
Q Have you any evidence of that fact? A Yes sir.
Q Is there any one here present who was present at your marriage to Mr. Rogers? A No sir; it was in the City of Atlanta, forty years ago.
Q You have no documentary evidence of your marriage to him?
A No sir: We were not remarried when we came to the Cherokee Nation.
Q Was a license issued when you and he were married? A Yes sir.
Q Was George M. Rogers ever married before he married you?
A No sir.
Q Were you ever married before you married him? A No sir.

The applicant presents a certificate, issued by the Commission on Citizenship, dated at Tahlequah, on the 26th day of September, 1884, signed by Ely Spears, President; Andrew Young, Commissioner: The document is attested by C. O. Fry, Clerk of the Commission; admitting sundry persons to citizenship, among whom appears the name of George Rogers:

Q Is the George Rogers mentioned in this certificate the father of your child, and your husband? A Yes sir.

(1896 Roll, Page 239, #3942, Frederick E. Rogers, Coo. District)

Q What is the exact date of your son's birth? A July 31st, sixteen years ago.

The applicant, Elizabeth R. Rogers, a [illegible] woman, applies for enrollment of her son, Frederick E. [illegible] whom she avers is her [illegible] husband, G. [illegible] issued by the Commission [illegible]

that her husband, George Rogers was admitted to citizenship in the Cherokee Nation, in 1884. She avers that her son was born on the 13th day of July, 1884, two months before said certificate admitting her husband to citizenship in the Cherokee Nation was issued. She presents no satisfactory proof as to her marriage to the said George Rogers, and for this reason, her son, Frederick R. Rogers will be placed upon a doubtful enrollment what is known as a doubtful card, for the further consideration of the Commission; and she is requested to file with the Commission, as soon as possible, a certified copy of the marriage license and certificate, showing her marriage to her deceased husband, George M. Rogers.

The undersigned, being sworn, states that he stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A R Cravens

Subscribed and sworn to before
me this 26th day of October, 1900.

M D Green

NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 26 1908

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date ..... 1900.

Name Frederick E Rogers. Glenmore I.T.

District COOWEESCOOWEE. COOWEESCOOWEE. Year 1896 Page 139 No. 3947

Citizen by blood Yes Mother's citizenship .....

Intermarried citizen No

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name ..... Parents George M Rogers Elizabeth R Rogers

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....

Enrolled by Mother. Elizabeth. R. Rogers

Certified Copy of Marriage License and Certificate to be supplied

FILED
FEB

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. January, 31st 1901.

In the matter of the application for the enrollment of Fredrick B.Rogers

D-#707. SUPPLEMENTAL TESTIMONY.

F. B. FITE, being sworn before Commissioner T. B. Needles, testified as follows-

Q What is your name? A. F. B. Fite.
Q What is your age? A. 39, about.
Q What is your post office address? A. Muskogee.
Q Do you know George M. Rogers? A Yes sir.
Q Do you know his wife, Elizabeth R. Rogers? A. I know his wife, I guess that is her name.
Q What do you know about their marriage? A I know that they lived in Cartersville, Georgia, where I used to live, in the '80's, and also have known them after they moved out here. They lived together as man and wife and raised up a family of children there.
Q Have they always been acknowledged in the community in which they lived as man and wife? A. Yes sir; they did business with a Mr. Tiller who had a store and for whom I clerked when I was a boy. He was a farmer and had a big farm about a mile and a half from town and bought their supplies there.
Q How long have they lived in the Territory? A. Since 1880.
Q Do you know that they have lived together as man and wife since coming to the Indian Territory? A. Yes sir, I have often been at their place, and waited on them several times.
Q Do you know whether they were ~~xxxx~~ legally married or not? A. No sir I don't know that.

+ +

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause, and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Chas. von Weise

Subscribed and sworn to before me this the 1st of February, 1901.

Commissioner.

D. D707

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 12 1901



COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Ft Gibson I.T. Sept 11, 1901

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Frederick E Rogers for enrollment as citizens of the Cherokee Nation.

A M Callaway
Atty for Applicant

No. 8707

RECEIVED
SEP 20 1902
CHAIRMAN

C. D-707

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 7,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Frederick M. Rogers for enrollment as a Cherokee citizen.

Appearances:
A.M.Callaway, Claremore, I. T., attorney for the applicant;
W.WHastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant and his attorney were notified by registered letter February 17,1902, that the appliction of Frederick M. Rogers for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 7th day of March,1902. Receipt hasbeen acknowledgedof the Commission's letter, both by the applicant and his attorney, and the applicant this day, to-wit: 7th day of March,1902, appears by his attorney.

MR. CALLAWAY: We just ask the right to file brief in this case. We want 15 days, and submit the case.

BY COMMISSION: The attorneys for the applicant and the representative of the Cherokee Nation present submit the case and same is ordered closed and reported to the Commission for finaldecision based upon the evidence now of record.

The attorney for the applicant requests and will be granted 15 days in which to file brief, one copy with the Commission and one copy with the represent ative of the Cherokee Nation.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

Cherokee-n- 707

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

91

In the matter of the application for the enrollment of Frederick E. Rogers as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 25, 1900, Elizabeth R. Rogers appeared before the Commission at Claremore, Indian Territory, and made personal application for the enrollment of her minor child, Frederick E. Rogers, as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on January 31, 1901, and on March 7, 1902.

The evidence shows that Frederick E. Rogers is a Cherokee by blood, and the minor child of George M. Rogers, deceased, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said nation on September 26, 1884, as shown by the records of the Cherokee Nation in the possession of this Commission.

The said Frederick E. Rogers is identified on the 1896 Census Roll of the Cherokee Nation.

The evidence further shows that the said Frederick E. Rogers has resided in the Cherokee Nation all his life, and that he was a resident of said nation at the date of the application herein.

It is, therefore, the opinionof this Commission that Frederick E. Rogers should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the act of Congress, approved June 28, 1898(30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
AUXILIARY CHEROKEE LAND OFFICE.

Muskogee, Indian Territory, March 4, 1905.

In the matter of the allotment of land to Elizabeth R. Rogers Cherokee Card 10077, and her minor son Frederic E. Rogers, Cherokee Card 9787, Approved Roll No. 21997.

Walter S. Rogers, citizen son, applicant, Cherokee Card No. 4913, being sworn, testified as follows:
Examination by the Commission:

Q What is your name? A Walter S.Rogers.
Q How old are you? A 24.
Q What is your post office? A Claremore, Indian Territory.
Q What is the name of your father? A George M.Rogers.
Q The name of your mother? A Elizabeth Rebecca Rogers.
Q What is your object in appearing at the Land Office today?
A To designate lands for an allotment for my mother, Elizabeth Rebecca Rogers.
Q What was the maiden name of your mother? A Foster.
Q Do you know the given name of her mother or father? A I do not.
Q Is your mother living at this time? A Yes sir.
Q State the reasons why your mother does not make personal appearance and selection? A Has been an invalid for twelve or fifteen years. She is unable to travel to the Land Office.
Q Have you any written authority from your mother to make these designations? A Yes sir.

Applicant offers power of attorney executed by Elizabeth R. Rogers, February 24, 1905, wherein she appoints Walter S. Rogers her attorney for the purpose of selecting lands in allotment in the Cherokee Nation for herself and her minor son Frederic E. Rogers.

Q Are you acquainted with the lands you desire allotted to Elizabeth R.Rogers? A Yes sir.
Q Are there any improvements on the land? A Part of them.
Q Is this land her home place? A Yes sir.
Q Does she live on part of the land at this time? A Yes sir.
Q Has any previous application been made for land for her? A No sir.
Q Do the lands you intend to designate for her lay west of the Grand river? A Yes sir.
Q Your mother is an applicant for intermarried rights in the Cherokee Nation is she? A Yes sir.
Q The power of attorney that you offer also authorizes you to designate lands for Frederic E.Rogers, what relation if any is he to you?
A He is my brother.
Q Full brother? A Yes sir, full brother.
Q How old is he? A Will be 21 the 31st day of July.
Q Not 21 yet? A Not 21, no sir.
Q Are there any improvement on the land you desire to designate for your brother? A Yes sir.
Q Does he reside upon this land? A Yes sir.
Q Any previous application been made for his account? A No sir.
Q Living is he? A Yes sir.
Q This land you intend to designate also lay west of Grand River? A Yes.
Q Is he single? A Yes sir. WITNESS EXCUSED.

Blanch Ashton upon oath states that as stenographer to the Commission to the Five Civilized Tribes she accurately recorded the testimony in the above entitled cause and that the foregoing is a correct transcript of her notes thereof. Blanch Ashton
Subscribed and sworn to before me this 4th day of March, 1905.

W. S. Hawkins

Notary Public.

FILED
1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 17, 1902.

Mrs. Elizabeth R. Rogers,

Claremore, Indian Territory,

Madam:-

You are hereby notified that the application of Frederick E. Rogers

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the seventh day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of readmission of George Rogers to Cherokee citizenship. Also certificate of marriage of the parents of Frederick E. Rogers.

Yours truly,

Copy to A.M.Calloway,
Claremore, I.T.

Cherokee D-707
Register.

Acting Chairman.
Commissioner in Charge.

COPY

Cherokee D 707.

Muskogee, Indian Territory, September 23, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Elizabeth R. Rogers for the enrollment of her minor child, Frederick E. Rogers, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 49.

COPY.

E - 747.

Muskogee, Indian Territory, October 21, 1902.

Elizabeth R. Rogers,

Claremore, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your minor child, Frederick R. Rogers, as a citizen, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.

Enclosure C. 11.

Register.

COPY.

A - 197.

Muskogee, Indian Territory, October 23, 1902.

Joe M. LeMay,

Representing A. M. Galloway,

Attorney for Frederick H. Rogers,

Claremore, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Elizabeth H. Rogers for the enrollment of her minor child, Frederick H. Rogers, as a citizen, by blood, of the Cherokee Nation.

Respectfully,

T. A. Brookins

Acting Chairman.

Enclosure C. No. 13.

Register.

CheroKee 9788

Maudie Hilton

Cher 9788

appeared and made oath to before me this 29th day of October, 1900.

(Stamp) ... a Com. Wales.

...

...

...

D.1735.

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I. T., October 27, 1899.

In the matter of the application of Maudie Hilton for the enrollment of herself and husband as Cherokee citizens. She being sworn before the Commission testified as follows:

Q What is your name? A Maudie Hilton.
Q How old are you? A 19.
Q What is your postoffice address? A Claremore.
Q Do you make application for enrollment as a Cherokee by blood? A Yes, sir.
Q Who do you want put on the roll? A Myself and husband.
Q What district do you live in? A Cooweescoowee.
Q How long have you lived there? A Born and raised here.
Q Have you lived in the Cherokee Nation all your life? A Yes, sir.
Q Have you been outside of the Cherokee Nation during the past three years? A No, sir.
Q What is the name of your father? A Columbus Scroggins.
Q Is he living or dead? A Living.
Q Is he a Cherokee or white man? A White.
Q What is your mother's name? A Lucy Jane.
Q Is she living? A Yes, sir.
Q Is she a Cherokee? A Yes, sir.
Q Do the names of your parents appear on the authenticated roll of 1880? A Yes, sir.
Q Are you married? A Yes, sir.
Q What is the name of your husband? A John Marvis Hilton.
Q How old is your husband? A 22.
Q Is he a Cherokee by blood? A No, sir.
Q Is he living at the present time? A Yes, sir.
Q What is his father's name? A Isaac Hilton.
Q Is he living? A Yes, sir.
Q Is he a Cherokee or white man? A White man.
Q What is the name of your husband's mother? A Ellen.
Q Is she a Cherokee? A No, sir.
Q The parents of your husband were never recognized by the Cherokee Nation as citizens thereof?, A No, sir.
Q When were you married to your husband? A June 28, 1899.
Q Were you married under the Cherokee laws and customs? A No, sir, under the laws of the United States.
Q Have you lived with your husband continuously since your marriage? A Yes, sir.
Q Were you ever married before? A No, sir.
Q Was he? A No, sir.
Q Have you any evidence of your marriage to your husband? A Yes, sir.
Q Let me have it please.
Applicant presents marriage license authorizing the marriage of John M. Hilton to Miss Maudie Scroggins, issued on the 27th day of June, 1899, by James A. Winston, Clerk of the United States Court for the Northern District of the Indian Territory, and a certificate showing that said marriage was performed by Willie M. Bedsow, a minister of the Gospel, on the 28th of June, A. D. 1899. License and certificate are filed herewith.
Q How have no children for whom you desire to make application? A No, sir.
Q What district were your parents living in in 1880? A [illegible]
Q Did your father make application to be enrolled [illegible]
Q Was he living at the date of the approval of the Act of Congress, approved March 3, 1893? A [illegible]
Q Was he living at the date of the ratification of the Cherokee agreement? A [illegible]
Q Was your mother living at the date of the approval of the Act of Congress, approved March 3, 1893? A [illegible]
Q Was she living at the date of the ratification of the Cherokee agreement? A [illegible]

Q Have they resided here continuously since that time? A Yes, sir.
Q Never moved out anywhere else? A No, sir.
Attention is called to the document filed with doubtful card 298 admitting sundry persons person to citizenship in the Cherokee Nation on the 26th day of March, 1879. These persons were admitted by what is known as the Chambers court. Among the persons admitted appears the name of Lucy J. Weyburn.
Q Is the Lucy J. Weyburn mentioned in this document just cited to you your mother? A Yes, sir.
Q Was her maiden name Weyburn? A Yes, sir.
1896 roll, page 262, No. 4810, Maud Scroggins, Coowescoowee.
The applicant applies for the enrollment of herself and husband. Her mother is shown to be one of a number of persons admitted to citizenship in the Cherokee Nation by what is known as the Chambers Court. The applicant has lived in the Cherokee Nation for 19 years. She is identified on the census roll of 1896 as a native Cherokee, but for the further consideration of the conditions under which her mother was admitted to citizenship she will be placed on what is known as a doubtful card, being classed as a Cherokee by blood. When the final decision is rendered by the Commission she will be notified in writing at her present post office address. As to the application which she makes on behalf of her husband, she avers that he is a white man, and she states that she was married to him according to the laws of the United States on the 29th of June, 1899, too late to acquire property rights in the Cherokee Nation according to the Cherokee law of 1895 regarding the marriage of citizens to white persons. His application therefore for enrollment as a citizen by intermarriage of the Cherokee Nation will be rejected.

Chas. von Weise, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause and that the above and foregoing is a full true and correct transcript of his stenographic notes in said proceedings.

(Signed) Chas. von Weise.

Subscribed and sworn to before me this the 29th of October, 1900.

(Signed) M. D. Green,

Notary Public.

(SEAL)

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur G. Croninger

Subscribed and sworn to before me this 4th day of January, 1901.

Commissioner.

consideration of the Commissioner of Patents
Indian Territory, on the [illegible] March, 1906. Receipt [illegible]
[illegible] acknowledged [illegible] Commissioner's letter [illegible]
[illegible] to-wit: the [illegible]
attorney, [illegible].

The attorney for the applicant requests a copy of the cor-
rected [illegible] in the case of Boyd vs. Mayborne,
[illegible] be filed with and made a part of the record in the
case at bar, and the request will be complied with.

The attorney for the applicant requests that the
Che-oke-kee Nation submit the case and brief to the Commissioner
contained and will be reported to the Commissioner for
decision based upon the evidence now of record.

The attorney for the applicant requests that the case
[illegible] days in which to file a brief in the case, one
copy with the Commission and one copy with the respective
Che-oke-kee Nation.

R

C. D-725

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 7,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the applicationof Maudie Hilton for enrollment as a Cherokee citizen,

Appearances:
Joe M. Lahay, Claremore, I. T., Attorney for applicants;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 17,1902, thather application for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 7th day of March,1902. Receipt has been acknowledgedof the Commission's letter and the applicant this day, to-wit: the 7th day of March,1902, appears by her attorney, Joe M. Lahay.

The attorney for the applicant requests a copy of the certificate of admission in the case of Robert L. Waybourne, D 698, be filed with and made a part of the record in the case at bar, and the request will be complied with.

The attorney for the applicant and the representative of the Cherokee Nation submit the case and same is considered completed and will be reported to the Commission for final decisionbased upon the evidence now of record.

The attorney for the applicant requests and will be granted 15 days in which to file a brief in the case, one copy with the Commission and one copy with the representative of the Cherokee Nation.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

on the 20th day of March, 1879; that said record is filed in this office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 23rd day of October, 1900.

(signed) E. W. Alberty,

Assistant Executive Secretary,

Cherokee Nation.

I, A. R. Cheever, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I made the foregoing copy and that the same is a true and complete copy of the original

memorandum.

525

To be filed with,- D. #725.

Executive Office Cherokee Nation,

Tahlequah, I. T.

I, B. W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the following named persons; W.L.Wayburn, M.M.Wayburn, J.F.Wayburn, Lucy J. Wayburn, L. W. Wayburn, R.L.Wayburn, Betsy Ann Wayburn, Martha A. Wayburn, and Mary Alice Wayburn shown on the Citizenship records of what is known as the "Chambers Court"of the Cherokee Nation, to have been admitted to Cherokee citizenship on the 26th day of March, 1879; that said record is filed in this office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 23rd day of October, 1900.

(signed) B. W. Alberty,

Assistant Executive secretary,

Cherokee Nation.

I, A. R. Cheever, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I made the foregoing copy and that the same is a true and complete copy of the original manuscript.

A R Cheever

Cherokee-D- 725

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Maudie Hilton as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 27, 1900, Maudie Hilton appeared before the Commission at Claremore, Indian Territory, and made personal application for the enrollment, among others, of herself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 7, 1902. The other party to the application is differently classified, and is not embraced in this decision.

The evidence shows that the said Maudie Hilton is the child of Lucy J. Scoggins, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said nation, on March 26, 1879, as shown by the records of the Cherokee Nation in possession of this Commission, under the name of Lucy J. Wayburn. The said Maudie Hilton was born subsequent to the admission of her mother to citizenship.

The said Maudie Hilton is identified on the 1896 census Roll of the Cherokee Nation under the name of Maud Scroggins.

The evidence further shows that the said Maudie Hilton has lived in the Cherokee Nation all her life, and was a resident of said nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Maudie Hilton should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898(30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
RECEIVED
OCT 7 1900



ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 27 1900 1900.

Name 1

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License (19) ..... Certificate .....

Wife's name Maudie Wilton nee Scoggins

District COOWEESCOOWEE. Year 1896 Page 282 No. 4610

Citizen by blood yes Mother's citizenship .....

Intermarried citizen No

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children: Unotful

.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age

on 1896 rolls Maud Scoggins

LOAN PERIOD
BOOKS MAY BE RECALLED
PALED
FEB 1982

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 17, 1902.

Mrs. Maudie Hilton,

Claremore, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the seventh day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certified copy of the record of readmission of your mother.

Cherokee D-725
Register.

Yours truly,

Acting Chairman.
xxxxxxxxx

Commissioner in Charge.

COPY. Cherokee D 726.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Maudie Hilton for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 38.

COPY.

Cherokee D 725.

Muskogee, Indian Territory, October 29, 1902.

Maudie Milton,

Claremore, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure N. No. 79.

DCPC

Cherokee 2 735,

Muskogee, Indian Territory, October 29, 1902.

Joe M. LeRay,

Attorney for Mandie Hilton,

Claremore, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting the application of Mandie Hilton for the enrollment of herself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure H. No. 80.

MAR

Received from the Commissioner to the Five Civilized Tribes one copy of the testimony in the matter of the application of [illegible] Tolbert

for enrollment as [illegible]

Cherokee Nation.

JOE M. LANEY

[illegible]

Cher 9789

Maggie L. Patrick

Cher 9789

P747

a

Department of the Interior.
Commission to the Five Civilized Tribes.
Claremore, I. T., October 30, 1900.

In the matter of the application of Josephine Mulholland for the enrollment of Maggie L. Patrick as a Cherokee citizen; she being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Josephine Mulholland.
Q How old are you? A 28.
Q What is your postoffice? A Fort Smith, Ark.
Q What district is the home of this child? A Illinois Dist.
Q Your individual home is Fort Smith? A Yes sir.
Q Who is it you want to have enrolled, just this child? A Yes sir.
Q What is the name of the child? A Maggie L. Patrick.
Q How old is the child? A Eight.
Q She's not your child? A Yes sir, she's mine.
Q Now, what is the name of the father of the child? A Mike Patrick.
Q Is he a Cherokee by blood? A Yes sir.
Q Is he dead? A No sir.
Q When were you married to him? A In '91.
Q Have you a certificate of your marriage to him? A Yes sir; I haven't it with me; I didn't bring it.
Q What time in '91 were you married? A July 7th.
Q Has he lived in the Cherokee Nation all his life? A Yes sir.
Q He still lives here does he? A Yes sir.
Q Give me the name of his father? A I don't know about his father.
Q His mother? A She's alive.
Q What is her name? A We always called her Granny Patrick.
Q Are you living with Mr. Patrick now? A No sir.
Q You're separated from him? A Yes sir.
Q When did you and he separate? A In '93, I believe it was.
Q How old is Mr. Patrick? A 38.
1880 roll: page 569, #1450-A, Mikiel Patrick, Illinois Dist.
1896 roll: page 332, #3761, Mitchell (Michael) Patrick, Coowescoowee.
(Note opposite his name:- This man has a daughter named Maggie, which the Cherokee claim is enrolled in Sequoyah district, but she is not found there, and should be ## put on it here. Signed illegible.)
Q Was your husband married previous to his marriage to you? A Yes sir.
Q Was his former wife dead when he married you? A Yes sir.
Q Do you know that? A She was dead I was told.
Q Are you certain of that? A I don't know, that's what they all say.
Q How long had she been dead when he married you? A I was a year in March he said; we were married in July.
Q Do you know people who were acquainted with her? A Yes sir.
Q And did they speak of her as being dead? A Yes sir.
Q Were you ever married before ya married Mr. Patrick? A No sir.
Q He was your first husband? A Yes sir.
Commissioner-

The applicant applies for the enrollment of her child. She states that she was married to the father of this child in July, 1891, but she has not with her at present the [illegible] certificate. She and her husband lived together [illegible] separated. Her former husband is identified on [illegible] and is said to have lived in the [illegible] He is identified as a [illegible] roll of 1896; is not [illegible] quired to supply the Commission with a [illegible] marriage certificate. She states that her [illegible] Mr. and that they were married [illegible]

-

2- J.M.

E.C. Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above case, and that the foregoing is a true and complete translation of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 20th day of October, 1900.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 30 1906

Acting CHAIRMAN

Illinois

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 30 1900 1900.

Name Ft Smith, Ark

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

Parents

District Mike Patrick — c — Year Page No.

Citizen by blood Josephine Mallchelland — w — c

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Maggie L. Patrick Dist. Year 1896 Page No. Age 8

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Note on 1896 Roll stating that Maggie Patrick should be found on Illinois district but does not appear

Certificate of marriage between applicants parents to be supplied

Supl.-C.D.#747.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 8th, 1902.

SUPPLEMENTAL in the matter of the enrollment of MAGGIE L. PATRICK as a citizen of the Cherokee Nation:

The applicants mother, Josephine Mullholland, was notified by registered letter February 15, 1902, that her application for the enrollment of her child, Maggie L. Patrick, as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 8th day of March, 1902, and that on said date she might appear before the Commission either in person or by attorney when an opportunity would be given her to introduce any further testimony affecting said applicant. The applicant having this day, to-wit: the 8th day of March, 1902, been called three times and failing to respond either in person or by attorney, the case is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

Commissioner.

J.O.R.

CERTIFICATE OF TRUE COPY.

United States of America,
INDIAN TERRITORY,
Northern District. } ss.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, and ex-officio Recorder of said District and Territory, do hereby certify that the instrument hereto attached is a full, true and correct copy of a ~~Chattel~~ Marriage License ~~Mortgage~~ filed in my office on the 7" day of July, 1897, at ~~o'clock M., and~~ ~~Renewal affidavit filed~~ ~~1900~~

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 31 day of March, A. D. 1902

Chas. A. Davidson
Clerk and Ex-Officio Recorder.

By E. A. Owen
Deputy Clerk.

the 1 day of May 1897

in Book B, Marriage Record, Page 5.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 7" day of July A. D. 1897

W. M. Nelson Clerk.

By Andrew J. Nelson Deputy.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District } ss

No. 603

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGE, GREETING:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. Mike Patrick of Braggs, in the Indian Territory, aged 28 years, and Miss Josie Hawkins of Braggs, in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seat at Muskogee, Indian Territory, this 7th day of July A. D. 1891.

Wm Nelson
Clerk of U. S. Court.

By _____ Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District, } ss.

I William Nelson U.S. Commissioner ~~a Minister of the Gospel~~,

DO HEREBY CERTIFY, that on the 7" day of July, A. D. 1891, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 7" day of July A. D. 1891

My Credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book — , Page —

William Nelson
~~A Minister of the Gospel~~
a U.S. Commissioner

NOTE. This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued, within sixty days from the date thereof or the party to whom the license was issued will be liable to the amount of One Hundred Dollars ($100.00).

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, Wm. Nelson, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 7th day of July 1891, at ..... M., and duly recorded in Book ....., Marriage Record, Page .....

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 7th day of July, A. D. 1891.

Wm. Nelson Clerk.

By Andrew S. Nelson Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., ... 190....

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of .....

..... as citizen of the Cherokee Nation.

..... Commissioner.

Certificate of True Copy.

United States of America,
Indian Territory ss
Northern District.

I, Charles A. Davidson, Clerk of United States Court in the Northern District, Indian Territory, and Ex-Officio Recorder of said District and Territory, do hereby certify that the instrument hereto attached is a full, true and correct copy of a marriage license filed in my office on the 7th day of July 1891.

Witness my hand and seal of said Court at Muskogee, In said territory this 31 day of March A.D. 1902.

(S E A L) Chas. A. Davidson
Clerk and Ex-Officio Recorder.

By C. A. Owen, Deputy Clerk.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above and foregoing is a true and correct copy of the Certified copy on file in this Office.

Ella Mileny

Cherokee D 747 (17)

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss. No. 603

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. Mike Patrick, of Bragga, in the Indian Territory, aged 28 years, and Miss Josie Hawkins, of Braggs, in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 7th day of July A. D, 1891.

William Nelson
Clerk of the U. S. Court.

By ..... Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, William Nelson, U. S. Commissioner ~~Minister of the Gospel~~, Do Hereby Certify, that on the 7th day of July, A. D. 1891, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 7th day of July A. D. 1891

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book ..... Page .....

William Nelson
~~Minister of the Gospel~~
A U. S. Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

Supl.-C.D.#747.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 31, 1902.

SUPPLEMENTAL IN THE MATTER OF THE ENROLLMENT OF MAGGIE L. PATRICK as a citizen of the Cherokee Nation:

The applicant's mother, Josephine Mullhalland, was notified by registered letter February 15, 1902, that her application for the enrollment of her daughter, Maggie L. Patrick, as a citizen of the Cherokee Nation would be taken up by the Commission for final consideration at its offices in Muskogee, Indian Territory on the 8th day of March, 1902. And on said date the case was called and there being no appearances, the same was deemed completed and ordered reported to the Commission for final decision based upon the evidence of record. The applicant was requested to furnish the Commission with evidence as to the marriage of the parents of the said Maggie L. Patrick, and on the 13th day of March, 1902, a letter was addressed to M. K. Patrick, the father of the applicant, in which he was requested to furnish the Commission with evidence as to his marriage to Josephine Mullholland. The said M. K. Patrick this day, to-wit: the 31st day of March, 1902, appears in respond to the Commission's letter of March 13, 1902, and offers in evidence a certified copy of the marriage license issued by William Nelson, Clerk of the United States Court for the Northern district, Indian Territory, on the 7th day of July, 1901, authorizing the marriage of Mike Patrick and Miss Josie Hawkins, and certificate showing that they were married by William Nelson, Assistant United States Commissioner, on the 7th day of July, 1891.

MIKE PATRICK, being duly sworn, testified as follows on part of applicant:

COMMISSION:

Q What is your name? A Mike Patrick.
Q You are the father of Maggie L. Patrick, who is an applicant before the Commission? A Yes, sir.
Q Who is the mother of the applicant? A Josie Mullholland is her name now.
Q She is a white woman? A Yes, sir.
Q Were you ever married before you married her? A Yes, sir.
Q What was your first wife's name? A Delila Cookson.
Q Was she living when you married the applicant's mother, Josephine Mullholland? A No, sir.

Commission: The record in this case is now deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oo0OOoo---

I, J. O. Rosson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings this day had in the above case, and that the foregoing is a true and comple te transcript of my stenographic notes thereof.

J. O. Rosson

f. 147

Cher. D-747.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 16, 1902.

In the matter of the application of Josephine Mullholland for the enrollment of her child, Maggie L. Patrick, as a citizen by blood of the Cherokee Nation.

The applicant in this case was notified by registered letter May 31, 1902, to appear before the Commission on or before June 17, 1902, and submit further evidence as to the residence of the said Maggie L. Patrick. The applicant this day, towit: the 16th day of June, 1902, appears in person.

Josephine Mullholland, being sworn and examined, testified as follows:
By Commission:
Q What is your name? A Josephine Mullholland.
Q What is your postoffice address? A Fort Smith.
Q You are the mother of the applicant, Maggie L. Patrick? A Yes sir.
Q Where was Maggie L. Patrick born? A Braggs.
Q In the Cherokee Nation? A Yes sir.
Q Were you living there at that time? A Yes sir.
Q How long had you been living there prior to her birth? A Four years.
Q Had her father Mike Patrick always lived in the Cherokee Nation? A Yes sir.
Q How long have you been residing in Fort Smith, Arkansas? A Little over two years.
Q Where did you reside from the time of the birth of Maggie L. Patrick until October 30, 1900, when you made application for her enrollment at Claremore? A At Sallisaw.
Q In the Cherokee Nation ? A Yes sir.
Q How long has Maggie L. Patrick lived at Fort Smith? A Just two years during school time.
Q Where has she been during her vacations? A With her father.
Q In the Cherokee Nation? A Yes sir.
Q Is her father living now? A Yes sir.
Q Does he continue to the support of the child? A No, he hasn't lately; he did before a while.
Q You have married since your separation from your child's father? A Yes, three years in September.
Q Since your marriage to your second husband, Mr. Mullholland, have you been making your home at Fort Smith? A Not at first, but we have for a little over two years.
Q Prior to that time you lived in the Cherokee Nation? A Yes sir, Sallisaw.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

C. L. Robertson

Subscribed and sworn to before me this 16th day of June, 1902,

Notary Public.

Cherokee D 747

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Maggie L. Patrick as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on October 30, 1900, Josephine Mulholland appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment of her minor child by a former husband, Maggie L. Patrick, as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 31, 1902, and on June 16, 1902.

The evidence in this case shows that Maggie L. Patrick, eight years of age at the date of this application, is the child of Mike Patrick, a citizen by blood of the Cherokee Nation, and Josephine Mulholland, formerly Josephine Patrick, nee Hawkins, who were lawfully married on July 7, 1891. Maggie L. Patrick is identified on the Cherokee Strip Payment roll of 1894, and it appears from a note opposite the name of her father on the Cherokee Census roll of 1896 that her name should have been placed upon that roll but was left off through some mistake.

It further appears from the evidence that Maggie L. Patrick was born in the Cherokee Nation and lived there continuously until the year 1900 since which year she has been attending school at Fort Smith, Arkansas, spending her vacations with her father in the Cherokee Nation.

It is, therefore, the opinion of this Commission that Maggie L. Patrick should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Mrs. Josephine Mulholland,

Fort Smith, Arkansas,

Madam:-

You are hereby notified that the application of Maggie L. Patrick

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the eighth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-747
Register.

Yours truly,

[signature]

Commissioner in Charge.

Cherokee D-747

Muskogee, Indian Territory, March 13, 1902.

Mr. M. K. Patrick,

Wann, Indian Territory,

Dear Sir:-

The Commission is in receipt of your letter of March 6, stating that Maggie L. Patrick is your daughter and that you desire to have her listed for enrollment as a citizen of the Cherokee Nation

In reply, you are advised that the application of Maggie L. Patrick was set for final hearing at Muskogee, Indian Territory, on the eighth day of March, 1902, and no appearance having been made by the applicant on that day the record in same was deemed completed and the Commission will render its decision as soon as practicable.

If there is any additional testimony which you desire to introduce in this case, you should use your own judgment as to whether you should apply for a rehearing of the case.

You are further advised that this case will not be reopened for the hearing of any additional testimony unless good cause is shown to the Commission why same was not offered to the Commission on the day set for the final hearing of the same.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, May 31, 1906.

Mrs. Josephine Mullholland,

Fort Smith, Arkansas.

Madam:

In the further consideration of the matter of the application for the enrollment of Maggie L. Patrick as a citizen of the Cherokee Nation, further evidence as to the residence of the said Maggie L. Patrick is necessary, and you are required to appear before the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, before June 17, 1906, and submit further evidence on that point.

Yours truly,

Commissioner in Charge.

In answering refer to
Cherokee D 749
Register.

COPY.

Cherokee D 747.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Josephine Mulholland for the enrollment of her minor child, Maggie L. Patrick, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 27.

COP

Cherokee D 747.

Muskogee, Indian Territory, October 29, 1902.

Josephine Mulholland,
300 9th & C Streets,
Fort Smith, Arkansas.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your minor child, Maggie L. Patrick, as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Register.
Enclosure K. No. 78.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

REGISTERED
FEB
1902
MUSKOGEE, I

Reg. 29
27

Mrs. Josephine Mulholland,

Talala, Indian Territory.

Cher 9790

John M. Doherty

Cher 9790

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., October 23, 1896.

In the matter of the application of Alvin A. Pomeroy for the enrollment of himself, wife and [illegible] children as Cherokee citizens; he being sworn by [illegible], a Notary Public, and examined by the Commission, testifies as follows:

Q What is your name? A Alvin A. Pomeroy.
Q How old are you? A 36 years old.
Q What is your postoffice address? A Vinita.
Q Are you a Cherokee citizen by blood? A No sir.
Q Do you make application for enrollment as a Cherokee citizen by intermarriage? A I want to enroll my children.
Q Not yourself; you're a white man? A I am a white man.
Q Then you make application for enrollment as an intermarried citizen? A Yes sir.
Q For whom do you make application? For yourself, wife and how many children? A I make application for three children.
Q And you apply for yourself and three children? A Yes sir.
Q What district are you living in? A Grand Cherokee.
Q How long have you resided in the Cherokee Nation? A I have lived in the Cherokee Nation at different times; last time seven years.
Q Have you been recognized as a citizen of the Cherokee Nation for any purpose within the past five years? A No sir.
Q What is the name of your father? A Robert M.
Q Is he dead? A Yes sir.
Q What is the name of your mother? A Jennie.
Q She's living or dead? A Yes sir.
Q Have your parents ever recognized as citizens of the Cherokee Nation? A No sir.
Q Is your wife living or dead? A My wife's dead.
Q What was her name? A Minnie.
Q When did she die? A She died the 4th day of November, in 1891.
Q Was she a Cherokee by blood? A Yes sir.
Q What degree of blood did she have? A 1/4.
Q How long did she reside in the Cherokee Nation? A She was born in the Cherokee Nation.
Q What was the name of her father? A John Love.
Q Was he a Cherokee? A Yes sir.
Q Is living or dead? A Dead.
Q What is the name of her mother? A Minerva.
Q Is she dead? A Yes sir.
Q Was a Cherokee? A No sir, white woman.
Q When were you married to your wife? A I was married the 18th day of October, 1876.
Q Where were you living at that time? A Joplin, Mo.
Q [illegible] State of Missouri? A Yes sir.
Q Did you live with [illegible] up to the time of her death? A Yes sir.
Q Have you had children present? A No sir.
Q Was she married [illegible] you? A I think she was a widow.
Q How [illegible] husband? A Her husband was dead.
Q What are the names of your children? A John H.
Q [illegible] A Jennie H.
Q [illegible] A Minnie A.
Q Name of the [illegible] A Leona A.
Q How old is she? A [illegible].
Q [illegible] living with you at the present time. Yes sir.
Q That's the largest of your children? A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] Nation? A No sir.

not all the time, part of the time they lived in the State.
Q Were you or your wife ever readmitted to citizenship in the Cherokee Nation by an act of the Cherokee Council? A Yes sir.
Q When was that? A In '87.
Q Have you any evidence of that fact? A Yes sir, I can produce evidence.
Q You havent it with you? A No sir.
Q Have you remarried since the death of your last wife? A No sir.
Q You lived with her continuously up to the time of her death?
A Yes sir.
Q Were you living in the Cherokee Nation when you were admitted in '87? A No sir; she came here to the Nation and got readmitted.
Q How long did she remain? A She didn't stay but a few weeks; came back, and we were going to move here. She got sick and didn't get off at that time.
Q When did you come to the Cherokee Nation to reside here permanently?
A I think it was the 14th of April, 1893.
Q Had you made your home in the Cherokee Nation any time before that? A Yes sir.
Q When? A From the first of March, 1878, till '81.
Q Then you moved to the State of Missouri? A Then I went to the State of Missouri.
Q And your wife staid there until '87? A She came back and forth.
Q In '87, and was then readmitted to citizenship? A Yes.
Q Then she returned to Missouri and you didn't come here to live permanently until '93? A Yes sir.
Q Were you admitted to citizenship at the same time your wife was?
A No sir, I wasn't admitted to citizenship at the same time she was.
Q Were you ever admitted to citizenship? A Nothing only married a Cherokee woman.
Q When did you marry a Cherokee woman; this woman? A Yes sir.
Q When you came to the Cherokee Nation in '93, were you remarried to her in accordance with the laws and customs of the Cherkee Nation?
A No sir.
Q Never married her but once? A That was all.
Q Under the laws of the State of Missouri? A Yes sir.
Q Were these children you have enumerated here admitted the same time your wife was in '87? A Two of them was; one wasn't born at that time.
1896 roll; page 146, #1401, John M. Daugherty, Coowescoowee.
1896 roll; page 146, #1402, Sahreh E. "
1896 roll; page 146, #1403, Leona A. "
Q Where was your wife living when she died? A In Newton County.
Q Missouri? A Yes sir.

Commission-

The applicant applies for the enrollment of himself and three children. He is not identified upon the Census roll of 1896; he claims to have been married to a Cherokee woman on the 18th day of October 1877 in accordance with the laws and customs of the State of Missouri; he avers that his wife was admitted to citizenship in the Cherokee Nation in 1887; he presents no satisfactory evidence as to this fact. He also avers that two of his children were admitted to citizenship at the same time. It appears from the testimony that the applicant went among the Cherokee Nation for the purpose of being married to a Cherokee in 1877, after this had been accomplished he returned to the State of Missouri and did not return to the Cherokee Nation and make his home permanently here until 1893; some years after the date of admission. The applicant is a white man; he was married to his wife in accordance with the laws and customs of the State of Missouri, and after his wife had been admitted to citizenship in the Cherokee Nation, he did not remarry her in accordance with the laws and customs of the Cherokee Nation.

[redacted]

1765 B

Statement of Applicant Taken Under Oath.

(56) — **CHEROKEES BY BLOOD AND ADOPTION.**

Date OCT 30 1900 1900.

Name ~~Abram A. Doherty~~ Achelata J. Dy.

District ..... Year 1896. Page ..... No. .....

Citizen by blood ~~Yes~~ Mother's citizenship .....

Intermarried citizen [redacted]

Married under what law ..... Date of marriage .....

License ..... Certificate Father Abram A Doherty

Wife's name ..... Mother Minnie Doherty

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen ..... Doubtful

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

1 John M Doherty	Dist. ~~COOWEESCOOWEE.~~	Year 1896	Page 146	No. 1401	Age 17
2 Sarah E "	Dist. ~~COOWEESCOOWEE.~~	Year 1896	Page 146	No. 1402	Age 15
4 Syrena A "	Dist. ~~COOWEESCOOWEE.~~	Year 1896	Page 146	No. 1403	Age 12
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

~~To~~ Supply Evidence of RE-Admission of ~~[illegible]~~ Minnie Doherty
1 on Roll of 1896 as Johnnie Daugherty
2 " " " " " Sarah. Daugherty

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee IT 3/6/02

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Lilli M Doherty for enrollment as Cherokee Freedmen.

A M Cullaway

No. 10755.

Mr. Justice [illegible] delivered the following judgment:

The application for leave to appeal and for a certificate of the case.

Chief Justice Meredith and Mr. Justice Garrow concurred.

Mr. Justice Maclaren dissented, for the reasons stated in writing by him.

Leave to appeal refused.

Supl.-C.D.#765.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 8, 1902.

SUPPLEMENTAL in the matter of the enrollment of JOHN M. DOHERTY, ET AL., as citizens of the Cherokee Nation.

The applicant and their attorney were notified by registered letter February 18, 1902, that the application of John M. Doherty for the enrollment of himself and sisters as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 8th day of March, 1902. Receipt has been acknowledged of Commission's letter, both by the applicants and by their attorney, and they this day, to-wit: the 8th day of March, 1902, appear by their said attorney, AM M. Calloway, Claremore, Indian Territory.

Mr. J. C. Starr, Cherokee Representative, present.

Commission of Mr. Calloway: Is there any statement you desire to make relative to this case?

Mr. Calloway: No, sir, the attorney for the applicant having filed a certificate of admission, submits the case on the evidence filed.

The attorney for the applicant and representative of the Cherokee Nation present submit the case. The same is considered completed, and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson
Stenographer.

Cherokee D 754

Winnie Daugherty.

Office Commission on Citizenship.

Tahlequah, I.T. July 1st, 1887.

Docket No.

Family.

1 Winnie Daugherty [illegible] Female.
2 A.A.Doherty [illegible]
3 James R.Doherty [illegible]
4 John M.Doherty [illegible]
5 Sarah E.Doherty [illegible]

263

Applicant for
Cherokee Citizenship
Roll of 1848
Ancestor
John Love.

(vs)
Cherokee Nation.
Filed June 25th 1887.

Now on this the 29th day of March 1888 comes the above case for a final hearing and having made application pursuant to the provisions of an act of the National Council approved December 8th 1884 and all the evidence being duly considered and found to be sufficient and satisfactory to the Commission it is adjudged and determined by the Commission that Winnie Daugherty and her three children James R. Daugherty, John M. Daugherty, and Sarah E. Daugherty are Cherokees by blood and that they are hereby readmitted to all the privileges rights and immunities of Cherokee citizens by blood. And a certificate of said decision of the Commission and of re-admission was made out and furnished said parties accordingly.

Attest,

C.C. Lipe,
Clerk Commission.

J. T. Adair, Chairman Commission.
John E. Gunter, Commissioner
D. W. Lipe, Commissioner.

Executive Office Cherokee Nation.
Tahlequah, I. T.

I, B. W. Alberty, assistant Executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of the Citizenship Commission of the Cherokee Nation, filed in this office and in my custody.

Given under my hand and the seal of this office this 5th day of December 1900.

(S E A L)

B. W. Alberty
Assistant Executive Secretary
Cherokee Nation.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a true and correct copy of the certified copy on file in this Commission.

Ella Mislang

Cherokee D 755

T.T.L.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John M. Doherty, Sarah E. Doherty, and Leona A. Doherty, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on October 30, 1900, Abram A. Doherty appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment of his three minor children, John M., Sarah E., and Leona A. Doherty, as citizens by blood of the Cherokee Nation. The application also included Abram A. Doherty, but, as he is differently classified, he is not embraced in this decision. On March 8, 1902, at Muskogee, Indian Territory, further proceedings in the matter of this application were had.

The evidence shows that John M. Doherty and Sarah E. Doherty were admitted, with their mother, Winnie Doherty, and their brother, James R. Doherty, by reason of their Cherokee blood, to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, on March 19, 1888. Leona A. Doherty had not been born at that time. John M. Doherty, Sarah E. Doherty, and Leona A. Doherty are all identified on the Cherokee census roll of 1896.

The evidence further shows that John M. Doherty, Sarah E. Doherty, and Leona A. Doherty have lived in the Cherokee Nation since April 1893.

It is, therefore, the opinion of this Commission that John M. Doherty, Sarah E. Doherty, and Leona A. Doherty should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

JOR Cherokee 9790

Department of the Interior,
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I.T. July 8, 1904.

In the matter of the application for the enrollment as citizens by blood of the Cherokee Nation of John M., Sarah E., Leona A. Doherty, Cherokee 9790.

SUPPLEMENTAL TESTIMONY.

SARAH E. CARSON, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Sarah E. Carson.
Q How old are you? A 18.
Q What is your post office? A Ramona .
Q You are a Cherokee by blood are you? A Yes sir.
Q Have you married since you were enrolled? A Yes sir.
Q What is the name of your husband? A Charlie Carson.
Q Is he a Cherokee? A No sir.
Q When were you and he married? A A year ago last September, the 8th of September.
Q September 8th, 1902, was it? A Yes sir.
Q Are you and he living together now? A Yes sir.

Mary B. Risser, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she correctly recorded the supplemental testimony in his case and that the foregoing is a true and complete transcript of her stenographic notes thereon.

Mary B. Risser

Subscribed and sworn to before me this 7th day of July, 1904.

J. Rosser
Notary Public.

MBR

COMMISSION ON PRESIDENTIAL DEBATES
FILED
FEB 5 1992

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Mr. Abram A. Doherty,

Ochelata, Indian Territory,

Sir:-

You are hereby notified that the application of John M., Sarah E., and Leona A. Doherty for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the eighth day of march, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to A.M.Calloway,
Claremore,I.T.

Yours truly,

Cherokee D-755
Register.

Acting Chairman.

Commissioner in Charge.

COPY. Cherokee D 755.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Abram A. Doherty for the enrollment of his three minor children, John M., Sarah E. and Leona A. Doherty, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 36.

COPY

Cherokee D 735.

Muskogee, Indian Territory, October 29, 1908.

Joe M. LaHay,

Representing A. M. Callaway,

Attorney for John K. Doherty et al,

Claremore, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1908, granting the application of Abram A. Doherty for the enrollment of his three minor children, John M., Sarah E. and Leona A. Doherty, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure K. No. 77.

Cherokee D 758.

Muskogee, Indian Territory, October 30, 1902.

Abram A. Doherty,

Ochelata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your three minor children, John M., Sarah E. and Leona A. Doherty, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure E. No. 76.

Cher 9791

John C. Parks

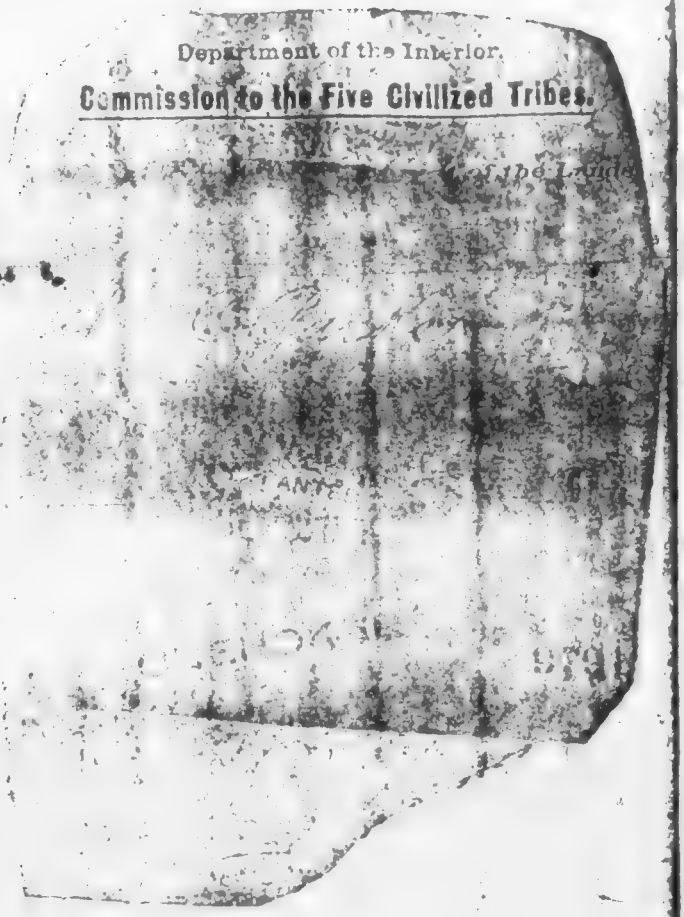
Cher 9791

CHEROKEE

9791

Department of the Interior.

Commission to the Five Civilized Tribes.



[illegible]

[illegible]

[illegible]

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Chelsea, I.T. November 18[illegible], 1900.

IN THE MATTER OF THE APPLICATION OF JOHN C PARKS FOR THE ENROLLMENT OF HIMSELF AS A CHEROKEE CITIZEN.

The said John C. Parks being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A John C. Parks.
Q What is your age? A Twenty-seven.
Q What is your post office address? A Chelsea.
Q What district do you live in? A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation?
A Yes, sir; by blood.
Q For whom do you apply for enrollment? A Myself.
Q No one else? A No, sir.
Q Have you always lived in the Cherokee Nation? A Yes, sir.
Q You are living here now? A Yes, sir.
Q What degree of blood do you claim? A About one eighth.
Q What is your father's name? A Richard Taylor Parks.
Q Is he living? A Yes, sir.
Q Your mother? A Yes, sir.
Q What is her name? A Sarah Elizabeth Parks.
Q Is she living? A Yes, sir.
Q You are on the 1880 roll, are you? A No, sir; I think not I am a NorthCarolina Indian.
Q What proof have you of your admission? A The rolls since then.

1896 Roll, page 231, No. 3721, John C. Parks, Coowescoowee District.

Q Have you any proof of your admission to Cherokee citizenship? A I haven't myself. No, sir.
Q You ought to have. We can't enroll you without.
Q How long have you lived in the Cherokee Nation? A Since 1880, the fall of 1880 or 1881.

THE COMMISSIONER: The name of John C. Parks appears upon the census roll of 1896. He avers that he removed to the Cherokee Nation as a North Carolina Cherokee in 1880 or 1881, but presents no proof of his admission or having removed. He makes satisfactory proof as to his residence and is only identified. Because of the fact that he presents no documentary proof of his admittance to Cherokee citizenship by the Cherokee authorities final judgment as to his enrollment will be suspended, and his name will be placed upon a doubtful card.

---o---

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 16th day of November 1900.

Commissioner

B
1900

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 15 1900 1900.

Name John C. Parks Cherokee

District COOWEESCOOWEE. Year 1898 Page 231 No. 3721

Citizen by blood U/SA Mother's citizenship

Intermarried citizen N/A

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Admitted

Certificate of admission to be supplied.

DEPARTMENT OF [illegible]
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 17 1915

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHELSEA, I.T., NOV. 17th, 1900.

SUPPLEMENTARY TESTIMONY
IN THE MATTER OF THE APPLICATION OF John C. Parks for enrollment as a citizen of the Cherokee Nation - Card "D" 7 9 8 .

The said Parks being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q You present to me a certificate, signed by J. T. Parks, Executive Secretary of the Cherokee Nation, dated at Tahlequah, September 24th, 1900, certifying that one, John C. Parks, eight years of age, is on the official records of the North Carolina Cherokees, on file in the Executive Office, who removed to the Cherokee Nation, December 7th, 1881: Are you the identical John C. Parks mentioned in this certificate? A Yes sir.
Q Have you always lived in the Cherokee Nation since 1881?
A Yes sir.
Q Are you living here now? A Yes sir.

The applicant, John C. Parks, presents satisfactory proof of his admission to Cherokee citizenship, as specified in the testimony: Consequently, his name will be removed from Doubtful Card #7 9 8 to a straight card: He will be enrolled as a Cherokee by blood.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before me this 17th day of November, 1900.

T B Needles

COMMISSIONER.

Executive Department Cherokee Nation.

Tahlequah Indian Territory,

September 28, 1906

I hereby certify that the record of North Carolina Cherokees as shown now on file in the records of this office, enrolled by the Cherokee Nation December 7, 1881 show the following named persons, to-wit:

	Age	Sex
[illegible] Parks	56	M
Sarah F. Parks	46	F
Mattie A. [illegible]	26	F
[illegible]d. [illegible]arks	[illegible]	[illegible]
James [illegible]	[illegible]	M
Maggie [illegible]	17	F
Samuel [illegible]. Parks	12	M
Jno. C. Parks	[illegible]	[illegible]
[illegible] Parks	[illegible]	[illegible]
[illegible] Parks	[illegible]	[illegible]
Thad [illegible]	[illegible]	[illegible]
Oscar [illegible] Parks	[illegible] yrs.	M

J. S. Parks

Executive Secretary, Cherokee Nation

Executive Department Cherokee Nation.

Tahlequah Indian Territory,

September 24, 1900

I hereby certify that the record of North Carolina Cherokees as shown by the records now on file in this office, who removed to the Cherokee Nation December 7, 1881 show the following named persons, to-wit:

	Age	Sex
Rich Parks	58	M
Sarah E. Parks	40	F
Mattie A. Parks	26	F
Rich'd B. Parks	17	M
James G. Parks	16	M
Maggie Parks	13	F
Samuel F. Parks	12	M
Jno. C. Parks	8	M
Geo. B. Parks	6	M
Ruth E. Parks	4	F
Thad T. Parks	2	M
Oscar W. Parks	8 mos.	M

Seal

J. T. Parks

Executive Secretary, Cherokee Nation

Muskogee, I. T., May 12, 1902.

I, M. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of the record now on file in the office of said Commission.

Cherokee D 798

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John C. Parks for the enrollment of himself as a citizen by blood, of the Cherokee Nation.

D E C I S I O N .

o-o-o-o-o-o-o

The record in this case shows that on November 15, 1900, the applicant John C. Parks, appeared before the Commission at Chelsea, Indian Territory, and then and there made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation. On November 17, 1900, John C. Parks again appeared before the Commission at Chelsea, Indian Territory, and gave additional testimony in the matter of his aforesaid application.

At the conclusion of the testimony offered at that time the name of John C. Parks was placed upon a "Doubtful" card, awaiting further proof pertaining to citizenship, which proof has been furnished the Commission, and this decision is rendered.

It is shown from the evidence in support of this application that John C. Parks was admitted by the tribal authorities of the Cherokee Nation as a North Carolina Cherokee. Age at time of admission eight years. He removed to the Cherokee Nation December 7, 1881, and has resided therein ever since. He is also identified on the Cherokee Census Roll of 1896, page 231, #3721.

The authority of the Commission herein is defined in Par. 1, Sec. 21, of the Act of Congress, June 28, 1898. (30 Stats., 495).

It is the opinion of this Commission that John C. Parks is lawfully entitled to be enrolled as a member by blood of the Cherokee Tribe of Indians in Indian Territory, and that the

application for his enrollment as such should be granted, and it is therefore so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

Cherokee D 798

Muskogee, I. T., April 28, 1903.

Mr. John C. Parks,

Chelsea, Indian Territory.

Sir:

Upon an examination had in the matter of application for the enrollment of yourself as a citizen by blood of the Cherokee Nation, it is found that you have failed to supply the Commission with a certificate of your readmission as a citizen of the Cherokee Nation. You are requested to furnish the Commission with said certificate or a certified copy thereof at your earliest convenience, and you are reminded that the proof desired is very essential in the disposition of your case.

Yours truly,

_____
Commissioner in charge.

Register

COPY.

Cherokee B 705.

Muskogee, Indian Territory, September 20, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of John C. Parks for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 35.

COPY.

Cherokee D 798.

Muskogee, Indian Territory, October 30, 1903.

John C. Parke,

Chelsea, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure H. No. 78.

1928.

Transferred to
Straight card;
see note on
jacket

Cher 9792

Maggie A. Williams

Cher 9792

Department of the Interior.
Commission to the Five Civilized Tribes.
Chelsea, I. T., November 16, 1900.

In the matter of the application of Maggie A. Williams for the enrollment of herself, husband and children as Cherokee citizens; she being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Maggie A. Williams.
Q How old are you? A 32 years old.
Q What is your postoffice? A Chelsea.
Q What district do you live in? A I can't say it.
Q Where do you live? A Chelsea; I got my place here.
Q Are you a Cherokee Indian by blood? A No sir, Shawnee.
Q Who do you want to enroll? A I have four children.
Q Yourself and four children? A Yes sir.
Q Got any husband? A Yes sir; two children by my first husband.
Q What are the names of your children now? A Georgia Jarvis.
Q How old is he? A About 9 years old.
Q Name of the other child? A Ellen Jarvis.
Q How old is she? A About 6 years old. Those two by my first husband.
Q Next child? A Edna Williams.
Q How old is she? A Two year and 11 months old.
Q Next child? A Harrison Williams Jr.
Q How old is he? A 8 months old.
Q Your name on the roll of 1896? A No sir, its on the roll of '71.
Q What was your name when you were married? A Ironside.
Q What is your first husband's name? A Plasm Jarvis.
Q He living? A No sir, he's dead.
Q He died before you married Williams? A Yes sir.
Q Your present husband's name is Williams? A Yes sir, Harrison Williams.

By W. W. Hastings Representative of the Cherokee Nation-
Q Where were you married to Jarvis? A Kansas City, Kansas at Wyandotte.
Q When were you married to him? A 1888.
Q How long had you been living in Kansas City at that time? A I took care of my father and could with him as he was crippled.
Q How long? A I couldn't just say exactly how long I have lived there.
Q You were to small to remember? A Yes sir, my mother died when I was nothing but a baby.
Q When did you move down here? A Before the Shawnee could draw their money.
Q In '96 or '97? A In '97, and I drawed that Shawnee money for me and my child.
Q Those two elder children were born in Kansas? A Yes sir, at Kansas City.
Q Your first husband died there? A Yes sir, and I got my marriage certificate at home.
Q Those children came down here with you in '97? A Yes sir.
Q Lived here all the time since .97? A Yes sir.
Q When were you married to Williams? A In 1898, 19, after the Dawes payment.
Q In '97? A In '98.
Q You have lived with him since that time? A Yes sir, were married and have in Quapaw; Hildebrand married us.

Commissioner-
Q You lived here all the time since 1897? A I brought my children here from White Water and he knows me, and lived here; never lived out. I had taken care of my father and I had to care after him as he is crippled.
Q [illegible] A [illegible]

S- M.A.W.

1896 roll: page 346, #346, Maggie Jarvis, Ocowesscowee
1896 roll: page 346, #347, Georgie Jarvis, Ocowesscowee.
1896 roll: page 346, #348, Nila Jarvis, Ocowesscowee.
Q Your name is not on the roll of 1880 is it? A No sir.

Commissioner Meeker-
The name of Maggie A. Williams does not appear upon the roll of 1880, but does appear in the registered of the names of members of the Shawnee tribe of Indians who moved to and located in the Indian Territory in accordance with the 15 article of the Cherokee treaty with the United States proclaimed Aug. 11 , 1866; No. 450, as Maggie Ivonside, her maiden name. Her name appears upon the Census roll of 1896 as well as the names of her two children, Georgie Jarvis and Nila Jarvis, be her first husband. She also files satisfactory proof of birth as to Emma and Harrison Williams Jr., children be her present husband, Harrison Williams, whose name does not appear upon the Census roll of 1896, having been born since said roll was compiled. She avers that she is a Shawnee Indian by blood, and the rolls of the Shawnee Indians in the possession of the Commission identify her as such. She avers that she became a resident of the Cherokee Nation in the year 1897, and has been a continuous resident since. Before that time, she lived from her birth in the State of Kansas or Missouri where her two first children, Georgie and Nila were born. She gi ves as a reason for her continued residence in Kansas, she had to care for her father who was a crippled man without legs and arms. By reason of the fact that she only made permanent residence in the Cherokee Nation until the year 1897: she being now 36 years of age, final judgment as to her enrollment of herself and said children will be suspended, and their names placed upon a doubtful card, also by reason of the protest of the representatives of the Cherokee Commission now present. She avers that her present husband one Harrison Williams is a Cherokee citizen by blood. She also applies for the enrollment of her husband, Harrison Williams.

1880 roll: page 206, #3357, Harrison Williams, Ocowesscowee.
1896 roll: page 283, #3191, Harrison Williams, Ocowesscowee.
Q Your husband always lived in the territory? A Yes sir.

Commissioner-
The name of her husband Harrison Williams is found upon the authenticated roll of 1880 and the Census roll of 1896 as a Cherokee citizen by blood. Being fully identified, he will be duly listed for enrollment as a Cherokee citizen by blood.

Q You got any certificate of marriage to Harrison Williams? A No sir, but Hildebrand married us.
Commissioner-
Until satisfactory proof of marriage of the said Harrison Williams to the said Maggie Williams is presented, the two children Emma and Harrison Williams, Jr., will be duly listed for enrollment as Cherokees by blood.on a doubtful card.

E. C. Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes in said case.

E C Rothenberger

Subscribed and sworn to before me this 18th day of November, 1900

Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 6 1900 1900.

Name Chelsea I.T.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Maggie A. Williams

District COOWEESCOOWEE. Year 1896 Page 346 No. 346

Citizen by blood yes Mother's citizenship

Intermarried citizen no

Married under what law yes Date of marriage

License Certificate

Names of Children:

2 Georgia Jarvis	Dist. COOWEESCOOWEE.	Year 1896	Page 346	No. 347	Age 9
3 Ellen "	Dist. COOWEESCOOWEE.	Year "	Page 346	No. 348	Age 6
4 Emma L Williams	Dist.	Year	Page	No.	Age 1
5 Harrison "	Dist.	Year	Page	No.	Age 3 mo
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Son Wife roll no. Ella Jarvis

1 " " " Maggie "

4 and 5 Birth affidavits supplied

In case of
John N. Williams
and
Mary J. Williams
Deceased

Vinita, I. T. Feb. 6th 1901

This is to certify that on the 10th day of December 1896,
I joined in the Holy Bands of matrimony between Harrison Williams
and Maggie Ironside both citizens of the Cherokee Nation.

Benjamin Hilderbrand

Minister of the Gospel.

20

IN RE

Application for Enrollment of

INFANT CHILD

Emma L. Williams

as a citizen of the

Cherokee Nation.

Approved, Nov 1st 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 16 1900

ACTING CHAIRMAN

Card No. 804

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Emma S. Williams (Here insert name of child.) born on the 6 day of Dec, 1898

Name of Father: Harrison Williams a citizen of the Cherokee Nation.

Name of Mother: Maggie Q. Williams a citizen of the Cherokee Nation.

Post-office, Webber Ok.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
North District. }

I, Maggie Q. Williams, on oath state that I am 30 years of age and a citizen, by Blood of Shawnee, of the Cherokee Nation; that I am the lawful wife of Harrison Williams, who is a citizen, by Blood of Shawnee, of the Cherokee Nation; that a female (male or female) child was born to me on the 6th day of Dec 1898; that said child has been named Emma S. Williams, and is now living.

Maggie Q. Williams.

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 16th *day of* Nov 1900.

David G. Elliott
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
North District. }

I, Susan C. Smith, a Midwife, on oath state that I attended on Mrs. Maggie Q. Williams wife of Harrison Williams, on the 6th day of Dec, 1898; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Emma S. Williams

Susan C. Smith

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 16th *day of* Nov 1900.

David G. Elliott
NOTARY PUBLIC.

20

IN RE

Application for Enrollment of

INFANT CHILD.

Irwin Williams

as a citizen of the

Cherokee Nation.

Approved [illegible] 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 16 1900

Card No. 804

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Harrison Williams Jr., born on the 22nd day of Aug, 1900

(Here insert name of child.)

Name of Father: Harrison Williams Sr., a citizen of the Cherokee Nation.

Name of Mother: Maggie A. Williams, a citizen of the Cherokee Nation.

Post-office, Welsh I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Northern District.

I, Maggie A. Williams, on oath state that I am 30 years of age and a citizen, by Intermarried Blood, of the Cherokee Nation; that I am the lawful wife of Harrison Williams, who is a citizen, by adoption, of the Cherokee Nation; that a male (male or female) child was born to me on the 22nd day of Aug, 1900; that said child has been named Harrison Williams Jr., and is now living.

Maggie A. Williams

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 16th day of Nov., 1900.

David G. Elliott

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Northern District.

I, Susan C. Smith, a Midwife, on oath state that I attended on Mrs. Maggie A. Williams wife of Harrison Williams on the 22 day of Aug, 1900; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Harrison Williams Jr.

Susan C. Smith

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 16th day of Nov, 1900.

David G. Elliott

NOTARY PUBLIC.

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T. May 20th 1901.

SUPPLEMENTAL TESTIMONY in the matter of he application of Maggie A. Williams et al. Cherokee Card D.804.

Cherokee Representative, and Joe Sequichie, agent for the applicant both present:

George R. Ironside called and sworn as a witness by Commissioner C. R. Breckinridge, testified as follows on the part of the applicant: (Examined by Com'r Breckinridge)

Q What is your name? A. George R. Ironside.
Q How old are you? A. 64 or '5
Q What is your post office ? A. Chelsea.
Q In what district do you live? A. In Cooweescoowee.
Q You want to give some testimony in the application of your daughter Maggie A. Williams? A. Yes sir.
Q It appears, Mr. Ironside that your daughter spent a good part of her life in Kansas, what have you to say about that? A. I got crippled and she kept house for me until she got old enough to marry.
Q How did you get crippled? Q. A horse threw me and broke my leg in two places and I could not get to shelter and had to stay there until I froze and mortification and gangrene set in and they had to take off both of my legs and both of my arms.
Q You were up in Kansas then? A. Yes sir but all my household was down here.
Q Why were you up in Kansas at that time? A. I went there in '72 to get some money that was owing me, and in '73 I got crippled and could not get back.
Q Did you ever vote in Kansas? A. No sir.
Q Who did you live with in Kansas? A. My daughter and son.
Q How old is your daughter now? A. She was born——in '71 she was two years old.
Q When did she marry? A. She married when she was—— five or six years ago.
Q About 1897? A I cannot tell exactly.
Q Where are you living at this time? A. Chelsea.
Q How long have you lived there? A. Since 4 or 5 years ago.
Q Do you remember in what year you came down? A Just before the Strip payment.
Q Did your daughter marry after you came down here? A. Yes sir her second time.
Q Your daughter has been married twice then? A. Yes sir, the first time she married in Kansas or Missouri it is the same thing, at Wyandotte
Q How long ago since she married the first time ? A Six or seven years ago.
Q Did that husband die? A Yes sir.
Q How long did he live after they were married? A. I think two years
Q Did she live with you after she married her first husband ? A I lived with them.
Q Was her first husband dead when she came down to the Cherokee Nation? A Yes sir.
Q Did your daughter come to the Cherokee Nation with you? A. About a month weeks after.
Q How long had her first husband been dead before she came down here? A. He died when I was here and just before she came.
Q That was just before the strip payment? A. Yes sir,
Q How long was it after that before she married again? A. Being on two years.
Q Has your daughter lived in the Cherokee Nation ever since she first came down here after the death of her first husband? A. Yes sir.
Q And her present husband is a Cherokee by blood I believe? A. Yes sir.
Q What was her first husband? A. I think he was from Kentucky.
Q He was a white man, a non-citizen? A. Yes sir.

Q Your daughter has two children by her first husband? A. Yes sir.
Q And how many by her sencond husband? A. Two.

By Joe Sequichie- Agent for applicant:

Q How old was your daughter when she went to Kansas with you? A. She was about three years old, 2 or 3, a small child.
Q She was a minor a good deal of the time that she was up there? A. Yes sir.

By the Commission:

Q Did she ever come to the Cherokee Nation from the time you took her to Kansas when she was a little thing, until the time of the death of her first husband? A. Once she come down with me.
Q When was that? A. I forget whatyear.
Q How long did you stay? A. Only a week.
Q And then went back to Kansas? A. Yes sir.
Q Did your daughter have any interests here in theCherokee Nation after she married her first husband? A Yes sir she bought a place after he died, near Chelsea.
Q Did she have any property here while her first husband was alive? No sir.

By Cherokee Representative, Cale Starr:

Q How long did your daughter live in Kansas after she became of age?
Q I went up in 72 and she was about 5 years old then, and in she come down here in '95, she was out all hat time.
Q When did you first come to the Cherokee Nation? A. In 71.
Q You never did live in the CherokeeNation before that time? A. No sir, we were Shawnees.
Q How long did you stay in the CherokeemNation that time? A. I came he e in 71, in May I think and I staid here until the fall of '72 and I had Mr. Marker to take me to Baxter Springs, I did not take a thing with me bet a trunk with some baby clothes in it; all my household goods and other things I left down here.
Q Did you own any other property in the Cherokee Nation while you were in Baxter Springs? A. Yes sir all th time.
Q What property did you own here? A. I had a house and and all my furniture and such things and a claim next to Mr. Markers on Grand river.
Q Did your daughter have any property here before she was married? A No sir.

By the Commission-

Q When did you say you were crippled? A. January,17th 1873.
Q Why did you make your home in Kansas instead of in the Territory after that? A. I was withogt any money to live on, and had no friends or relatives here to look after me, and I went up there to get that money that was owing me and there I got crippled and could notget back .
Q Why did you stay up there after you were crippled? A. Because there was no fund provided for such cases in this country and I did not have any money to live on.
Q Did you live partly by charity up there? A. Yes sir and I had a half fare permit to travel on the railroad and sell cards , and I sold fruit and matches in Kansas City, and the County has the Supervisor to call on us once a week and see if we would need anything.
Q Did you ever get a reservation in the Osage country? A. No sir.
Q Did you take a reservation in any of those lands up there? A. Only in Kansas before we made the treaty with the Cherokees.

Maggie A Williams 8.

Wm. Van Vaige, being sworn states that as stenographer to the Commissioner to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Subscribed and sworn to before me this 8th day of May, 1901, at Vinita, I. T.

Seal

Notary Public.

R

C. D-904

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 10,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Maggie A. Williams for the enrollment of herself and children as Cherokeecitizens.

Appearances:
J.R.Sequichie, agent for the applicant, Chelsea,I.T.
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant and her agent were notified by registered letter February 18,1902, that the application of Maggie A. Williams for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 10th day of March,1902. Receipt has been acknowledgedof the Commission's letter both by the applicant and her agent, and the applicant this day, to-wit: the 10th dayof March,1902, appears by her agent, J.R.Sequichie.

BY COMMISSION OF MR. SEQUICHIE: Any statement you desire to make relative to this application? A No sir, there has been additional testimony taken in the case.
Q Do you submit the case to the Commission? A Yes sir.

BY COMMISSION: The agent for the applicant and the representative of the Cherokee Nation present submit the case, and same is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that theforegoing is a true and complete transcript of my stenographic notes thereof.

M D Green

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita I.T. Oct 15 1901.

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Imogene A Williams et al for enrollment as Freedmen of the Cherokee Nation.

J K Goodrich
Atty for applicants

No. I.T. 804

20 1902

R

C. D-804

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 10,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Maggie A. Williams for the enrollment of herself and children as Cherokeecitizens.

Appearances:
J.R.Sequichie, agent for the applicant, Chelsea,I.T.
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The Applicant and her agent were notified by registered letter February 18,1902, that the application of Maggie A. Williams for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 10th day of March,1902. Receipt has been acknowledgedof the Commission's letter both by the applicant and her agent, and the applicant this day, to-wit: the 10th dayof March,1902, appears by her agent, J.R.Sequichie.

BY COMMISSION OF MR. SEQUICHIE: Any statement you desire to make relative to this application? A No sir, there has been additional testimony taken in the case.
Q Do you submit the case to the Commission? A Yes sir.

BY COMMISSION: The agent for the applicant and the representative of the Cherokee Nation present submit the case, and same is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that theforegoing is a true and complete transcript of my stenographic notes thereof.

M D Green

Cherokee D 804

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Maggie A. Williams for the enrollment of herself and her minor children George and Ellen Jarvis, and Emma S. and Harrison Williams, Jr., as citizens of the Cherokee Nation of Shawnee blood.

D E C I S I O N.

The record in this case shows that on November 16, 1900, Maggie A. Williams appeared before the Commission at Chelsea, Indian Territory, and made personal application for the enrollment of herself and her four minor children George and Ellen Jarvis and Emma S. and Harrison Williams, Jr., as citizens of the Cherokee Nation of Shawnee blood. She also made application for the enrollment of her husband, Harrison Williams, as a citizen by intermarriage of the Cherokee Nation, but he has been differently classified and is not embraced in this decision. Further proceedings in the matter of said application were had at Vinita, Indian Territory, on May 20, 1901, and at Muskogee, Indian Territory, on March 10, 1902.

The evidence shows that Maggie A. Williams is identified on a certain register of names as one of those who located in the Cherokee Nation under the terms of a treaty concluded between the Cherokee Nation and the Shawnee tribe of Indians on June 7, 1869. It further appears that she removed with her father to the State of Kansas in 1873; that her father lost both arms and legs and was obliged to remain in Kansas where his daughter, said Maggie A. Williams, remained to care for him until 1897, at which time they returned to the Cherokee Nation, and have resided there ever since. The said Maggie A. Williams and George and Ellen Jarvis, her children by a former husband, are identified on the Cherokee Census roll of 1896. Emma S. Williams and Harrison Williams Jr. are her children by her present husband, Harrison Williams. They are too young to be upon the tribal rolls, but are identified by birth affidavits on file with this Commission.

It is, therefore, the opinion of this Commission that Maggie A. Williams, George Jarvis, Ellen Jarvis, Emma S. Williams and Harrison Williams Jr. should be enrolled as Cherokee citizens of Shawnee blood, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, I. T.
this SEP 20 1902

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
RECEIVED
FEB 2 1903

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Maggie A. Williams,

Chelsea, Indian Territory.

Madam:

You are hereby notified that the application of yourself and four minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to J. R. Sequichie, Agent, Chelsea, I. T.

Very truly,

Commissioner.

Cherokee D. 804
Register.

COPY.

Cherokee D 804.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Maggie A. Williams for the enrollment of herself and her four minor children, George and Ellen Jarvis, and Emma S. and Harrison Williams, Jr., as citizens of the Cherokee Nation of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 34.

COPY

Cherokee D 804.

Muskogee, Indian Territory, October 30, 1902.

Maggie A. Williams,

Chelsea, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself and your four minor children, George and Ellen Jarvis and Emma S. and Harrison Williams, Jr., as citizens of the Cherokee Nation of Shawnee blood.

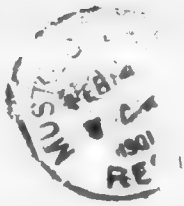
Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure H. No. 74.



RETURN PENALTY ENVELOPE.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSCOGEE IND TER.
OFFICIAL BUSINESS
Penalty for private use, $300.

MONETT

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

MUSCOGEE,

IND. TER.

Cher 9793

Eula C. Rogers

Transferred from D 816

See 5583 and R 396

Cher 9793

Department of the Interior.
Commission to the Five Civilized Tribes.
Chelsea, I. T., November 19, 1900.

In the matter of the application of Love Rogers for the enrollment of himself, wife and children as Cherokee citizens: he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Love Rogers.
Q How old are you? A 38.
Q What is your postoffice? A Adair.
Q You live in Cooweescoowee District? A Yes sir.
Q Who is it you want to enroll; yourself and family? A Yes sir.
Q Have you a wife? A Yes sir.
Q How many children have you? A Two.
Q Are you a Cherokee by blood? A Yes.
Q What's your wife? A She's a white woman.
Q Have you lived in the Cherokee Nation all your life? A No sir.
Q How long? A Since '93.
Q Have you been admitted to citizenship by the Cherokee Commission?
A Yes sir.
Q Let me see it? A My father left it here.
Q When did you say you were admitted? A In '87 -- In '88 I think.
Q Give me the name of your wife. A Cola B.
Q How old is she? A 31.
Q When did you marry her? A In '96.
Q Have you the certificate of marriage? A Yes sir.
The applicant presents a license issued by the Clerk of the United States Court Northern district, Indian Territory, authorizing marriage between himself and Miss Cola Flanagan, Aug. 29, 1896. The certificate shows that they were married by the Clerk of Cooweescoowee district on Sept. 1st, 1896. This is filed herewith.
Q You say that your wife ought to have been put down as Mrs. and not Miss? A Yes sir.
Q She was married before she married you? A Yes.
Q Was she married more than once? A I think not.
Q You don't know? A I don't know.
Q Was her husband Flanagan dead when she married you? Yes sir.
Q Were you ever married except to this wife? No sir.
Q Wouldn't you be apt to know if she was ever married before? A I ought to know.
Q Have you known her a long time? A Yes, a longtime.
Q You know her father? A No.
Q You never saw her own people? A No sir.
Q Has she lived with you ever since she married you in '96?
A Yes sir.
Q What are the names of your children? A Eula C.
Q How old is that child? A Three yearsold.
Q Name of the next child? A Nicholas R.
Q How old is that child? A Eight months old.
Q Did you ever hear her say whether she was married before she married you? A Only the one that I told you.
Q Did you ever talk about how many times she was married before?
A No sir.
Q How long did her people live in this country before you married her? A They never lived here at all; they lived in Texas.
Q Where did you marry her? A In Adair. She was living here; she had moved here.
Q How long had she lived herebefore you knew her? A About a year I suppose.

Q Had she lived here with her former husband Flannagan? A No sir; he died in the Chickasaw Nation.
Q How do you know he was dead? A I got her word for it; that is all I know about it. She said she was a widow.
Q What was her maiden name? A Mayes.
Q You never found out whether she was married more than once or not? A I never have.
Q How far do you live from here? A Six miles.
Q Your wife at home? A Yes sir; she's sick.
Q Is your wife much sick? A No sir.
Q Is she confined to her bed? A No sir. Come to think of it; she told me she was married twice to a man by the name of---I can't tell his name now.
Q How did you happen to leave that out? A I never thought of it.
The applicant presents a duly authenticated certificate of admission showing that on Sept. 6, 1888, certain persons were admitted to citizenship by the Cherokee Commission on Citizenship, and among them appears the name of Love Rogers, aged at that time 20 years of age.
Q That is your name is it? A Yes sir.
This is identified as official evidence of the applicant's admission at the time stated, and the paper is filed with Card D.-813 in the application of Mary J. Rogers.
1896 roll; page 245, #4137, Live Rogers, Cooweescoowee.
1896 roll; page 321, #843, Cola Rogers, Cooweescoowee.

Commissioner Breckinridge-
The applicant applies for the enrollment of himself, his wife, and two children. He is shown to have been admitted to Cherokee citizenship by the Cherokee Commission on Citizenship in 1888. He states he came to the Cherokee Nation in 1893, and has lived here ever since. He is identified on the roll of 1896 as a native Cherokee, and he will be listed now ofr enrollment as a Cherkee by blood. He files a marriage license and certificate showing that he and his wife were married September 1, 1896. She is identified with her husband on the roll of 1896. She is a white woman. He states that his wife was previously married twice, but he only appears to be convinced of the death of one of her previous husbands. She married too late under the Cherokee law of 1895 to entitle her to enrollment, and also additional evidence will be needed in regard to her status after her two previous marriages. Under the Cherokee law of 1896 relating to acquirement of citizenship by intermarriage, the application for her enrollment is rejected. When certificates are filed of the birth of the two children, Eula C. and Nicholas R., they will be listed as Cherokees by blood on a doubtful card to await further evidence in regard to the status of the applicant's wife arising from her two former marriages. The applicant states that he was never married except to his present wife.

E.G.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes in said case.
(signed) E. G. Rothenberger
Subscribed and sworn to before me this 19th day of November, 1900.
(Signed) C. R. Breckinridge,
Commissioner.

H. M. Vance, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he made the foregoing copy and that the same is a true and correct copy of the original testimony.

H. M. Vance

Subscribed and sworn to before me this [illegible] day of June, 1908.

Notary Public.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date ..... 1900.

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children.

Eulah C. Rogers	Dist.	Year	Page	No.	Age 3
Nickolas R. "	Dist.	Year	Page	No.	Age 8 mos
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Doubtful

Both off's agent

20

IN RE

Application for Enrollment of

INFANT CHILD

Eulah C Rogers

as a citizen of the

Cherokee Nation.

Approved, JAN 8 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 8 1901

Asst. Chairman

Card D. 816.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Eulah C Rogers, born on the 1 day of Sept, 1897
(Here insert name of child.)
Name of Father: Love Rogers, a citizen of the Cherokee Nation.
Name of Mother: Cola B Rogers, now a citizen of the Cherokee Nation.
Post-office, Adair I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Cola B Rogers, on oath state that I am 31 years of age and a citizen, by ~~birth~~, of the United States ~~Nation~~; that I am the lawful wife of Love Rogers, who is a citizen, by blood, of the Cherokee Nation; that a female (male or female) child was born to me on the 1st day of Sept 1897; that said child has been named Eulah C Rogers, and is now living.

Cola B Rogers

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 20 day of December 1902.

John F Warren
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
District.

I, Jane Coats, a Midwife, on oath state that I attended on Mrs. Cola B Rogers, wife of Love Rogers, on the 1st day of Sept, 1897; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Eulah C Rogers.

Jane Coats

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 20 day of December 1902.

John F Warren
NOTARY PUBLIC.

20

IN RE

Application for Enrollment of

INFANT CHILD

Nicholas R Rogers

as a citizen of the

Cherokee Nation.

Approved, JAN 8 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 8 1901

Card D. 816.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Nickolas R. Rogers (Here insert name of child.) born on the 27 day of Febuary, 1900

Name of Father: Love Rogers, a citizen of the Cherokee Nation.

Name of Mother: Cola B Rogers, now a citizen of the Cherokee Nation.

Post-office, Adair I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Southern District. }

I, Cola B. Rogers, on oath state that I am 31 years of age and a citizen, ~~by~~, of the United States ~~Nation~~; that I am the lawful wife of Love Rogers, who is a citizen, by blood, of the Cherokee Nation; that a male (male or female) child was born to me on the 27 day of Febuary, 1900; that said child has been named Nickolas R Rogers, and is now living.

Cola B Rogers

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 20 day of Dec, 1900

John F Warren
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
District. }

I, A W Herron, a Physican, on oath state that I attended on Mrs. Cola B Rogers, wife of Love Rogers, on the 27 day of Febuary, 1900; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Nickolas R Rogers.

A W Herron M D

WITNESSES TO MARK:

( ) }

Subscribed and sworn to before me this 20 day of Dec, 1900.

J F Warren
NOTARY PUBLIC.

1.216

-3810-

TRANSCRIPT OF JUDGMENT.

M. Clair, : Circuit Court.

Joseph C. Hudson

vs.

Cicely D. Hudson

Filed the ..... *day of*

..... 1 ..... , *at*

o'clock ..... *minutes* ..... *M.*

..... *Circuit Clerk*

Saml Dodsworth Book Co., Leavenworth, Kansas No. 3810

TRANSCRIPT OF JUDGMENT.

ST-CLAIR COUNTY CIRCUIT COURT

PLEAS AND PROCEEDINGS

IN THE CIRCUIT COURT OF ST-CLAIR COUNTY, MISSOURI.

BE IT REMEMBERED, That at the regular July Term of the said Circuit Court, and on the 13 day of July 1892, present, the Honorable D. P. Stratton Judge of the 29th, Judicial District, the following among other proceedings were had and entered of record, to wit:

Joseph A. Hudson, Plaintiff

vs.

Coly B. Hudson, Defendant.

Now on this 13th day of July 1892, comes the plaintiff in person and by attorney and the defendant being three times ~~called~~ solemnly called comes not, but makes default and it appearing to the Court from the affidavit of John N. Everett that he is the publisher of the Osceola Sun a weekly newspaper printed and published weekly in St-Clair County Missouri, and that the order of publication made in this cause at the last term of this Court notifying the defendant of the pendancy of this suit and the object and gendral nature thereof has been duly published in said newspaper for four weeks in succession the last insertion of said publication being more than thirty days before the first day of this term of Court and the defendant failing to appear the cause is submitted to the Court and the Court from the evidence doth find that the plaintiff was lawfully married to the defendant on the 21st day of December 1884 at the County of St-Clair and State of Missouri and that he continued to live with defendant as her husband from day and date aforesaid, until about the 10th day of February 1891. That during all that time plaintiff faithfully demeaned himself as the husband of defendant and at all times treated her with kindness and affection, but that defendant disregarding her duties as the wife of plaintiff on the said

10th day of February 1891, without any just cause and without any provocation on part of ~~pl~~aintiff deserted and abandoned plaintiff and has continued away from plaintiff in such abandonment for a period of more than one year, prior to the filing of plaintiffs petition herein.

That there was born of said marriage two children to-wit:-- Jessie N. and James G., the former aged five years and the latter three years.

That James G. is with his mother the defendant and who resides in Texas, the said Jessie N. is with plaintiff. That the plaintiff is a resident of St-Clair County Mo. and has resided within the State for one whole year next before the filing of his petition herein. That the plaintiff is the innocent and injured party and entitled to the relief sought.

It is therfore ordered and adjudged by the Court that the bonds of matrimony contracted as aforesaid between plaintiff and defendant be dissolved and annulled and the plaintiff be and he is hereby divorced from defendant and that care, custody and control of Jessie N. Hudson is awarded to plaintiff. It is further ordered that plaintiff pay the cost of this proceeding.

STATE OF MISSOURI,
COUNTY OF ST-CLAIR } ss.

I, Ed A. Hook,

Clerk of the Circuit Court within and for the said County, do hereby certify that the foregoing is a true, full and complete transcript of the Judgment in the foregoing cause, as fully as the same appears of record in my office.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND and the seal of said Circuit Court at office in Osceola

this 24th. day of February 1908.

Ed. A. Hook Circuit Clerk

Deputy.

Fee $1.75 Paid.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAR 28 1902

9816

Supl.-C.D.#816.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 21, 1902.

SUPPLEMENTAL in the matter of the enrollment of EULAH C. ROGERS, ET AL., as citizens of the Cherokee Nation:

Case continued by agreement from March 10, 1902, to March 21, 1902.
J. R. Sequichie, Chelsea, I.T., Agent for Applicants;
W. W. Hastings, Cherokee Representative, present.

COLA B. ROGERS, the applicants' mother, re-called for additional cross-examination on part of the Cherokee Nation; she being duly sworn, testified as follows:
MR. HASTINGS:

Q What is your name? A Cola B. Rogers.
Q What is your age? A 33a.
Q What is your post office address? A Adair.
Q How long has that been youf post office? A It has been about six years.
Q Where were you born? A I was born in Texas.
Q You were married in Texas first? A No, sir. I was married in Missouri.
Q What was your first husband's name? A Joe Hudson.
Q You live with him until his death? A No, sir, I lived five years.
Q You then separated from him? A Yes, sir.
Q Did either get a divorce? A Yes, sir.

Commission: There is offered in evidence by the Agent for the applicants a certified copy of the decree of divorce between Cola B. Hudson and Joseph Hudson.

Q Have you been married since that? A Yes, sir.
Q What is the name of your next husband? A Jim Flanigan.
Q Where were you married to him? A In Texas.
Q How long did you live with him? A Xx He just lived a little over a year; we was married 1st day of January 1883 and he died the 21st day of September, 1884.
Q You lived with him until his death? A Yes, sir.
Q And after that you married your present husband? A Yes, sir.
Q You married him n 1896? A Yes, sir.
Q How old is this child, Eulah C. A She will be five years old, the first day of September.

Commission: The agent on behalf of the applicant and representative of the Cherokee Nation present submit the case. The same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

I, J. O. Rosson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson

Cherokee D 813

CERTIFICATE OF ADMISSION TO CHEROKEE CITIZENSHIP

(OFFICE OF COMMISSION ON CITIZENSHIP,
)
(Tahlequah, Cherokee Nation.

To all Whom it May Concern--Greeting:

This is to Certify, That the following named, to-wit: David M. Rogers male, age 58, William M. Rogers, male, age 26, Cora Lee Rogers, female age 23, Love Rogers, male, age 20, Mary M. Rogers female age 17, Lena M. Rogers, female age 14, did, pursuant to the provisions of an Act of the National Council of the Cherokee Nation, approved December 8th, 1886, entitled "An Act providing for the appointment of a Commission to try, and determine, applications for Cherokee Citizenship," make such application to and before said "Commission" on the 6 day of July 1897; that the proof submitted by the above named David M. Rogers in support of his said application has been found, and is hereby declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of Section Seventh of said Act of the National Council-- and that, by virtue of such finding of fact by the Commission, and in conformity with the Fourteenth section of said act, the above named parties (applicants for citizenship) are, from this, the date of said finding and decision of the Commission as announced and recorded, re-admitted by the National Council, as provided in said Fourteenth Section, to the rights and privileges of Cherokee citizenship under Section 2, Art. 1 of the Constitution of the Cherokee Nation; and this certificate of the said decision of the Commission and of re-admission by Council is made and furnished to the said parties accordingly.

In Witness Whereof, I hereunto sign my name, as Chairman of the Commission, on this the Sixth day of September 1898

D. W. Lipe
Actg Chairman Com. on Citizenship.

Attest:

C. C. Lipe
Clerk Com. on Citizenship.

Seal

Approved and endorsed:
J. B. Mayes
Principal Chief C.N.

Henry Tiffert
Asst Ex Sec'y C N

Muskogee, I. T., May 22, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the foregoing is a true and correct copy of the original Certificate of Admission, which is now on file in the office of the Commission.

H. M. Vance

C D 816

M A R R I A G E L I C E N S E .

United States of America,)
Indian Territory, :ss.
Northern District.)

No. 177

To Any Person Authorized by Law to Solemnize Marriage--Greeting:
YOU ARE HEREBY COMMANDED to Solemnize the Rite and publish the Banns of Matrimony between Mr. Love Rogers of Adair in the I.T, aged 29 years, and Miss Cala Flanagan, of Adair in the I. T, aged 27 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Vinita, this 29th day of August A. D. 1896.

Jas A Winston
Seal Clerk of the U.S.Court.
By J. C. Anderson Deputy.

CERTIFICATE OF MARRIAGE.

United States of America,)
Indian Territory, :ss.
Northern District.)

I, Joe M LaHay, a Clerk Cooweescoowee Dist C.N DO HEREBY CERTIFY, that on the 1st day of Sept A. D. 1896, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 1st day of Sept A. D. 1896.
My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book _____,Page_____

Joe M LaHay Clerk
Seal Cooweescoowee District C. N.

CERTIFICATE OF RECORD.

United States of America,)
Indian Territory, :ss.
Northern District.)

I, James A. Winston, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 30 day of Oct, 1896, at____M., and duly recorded in Book E, Marriage Record, Page 329

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 28 day of Oct, A. D. 1896.

Jas. A. Winston, Clerk.

By_____Deputy.

Muskogee, I. T., May 28, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of a record now on file in the office of the Commission.

Cherokee D 816

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Eula C. and Nickolas R. Rogers as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on November 19, 1900, Love Rogers appeared before the Commission at Chelsea, Indian Territory, and made personal application for the enrollment, among others, of his two minor children Eula C. and Nickolas R. Rogers as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 21, 1902. The other parties to the application are differently classified and are not embraced in this decision.

The evidence shows that Love Rogers, among others, was readmitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on September 6, 1888. It is further shown that he was lawfully married to one Cola Flanagan, formerly Hudson, on August 29, 1896. As a result of that marriage the applicants in this case were born, as evidenced by certificates of birth filed herewith.

The evidence further shows that Love Rogers has resided continuously in the Cherokee Nation since 1893. His wife has resided therein since 1896, and the residence of the children, applicants in this case, is considered to have been in the Cherokee Nation from birth up to and including the date of this application.

It is, therefore, the opinion of this Commission that Eula C. Rogers and Nickolas R. Rogers should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 0 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Love Rogers,

Adair, Indian Territory.

Sir:

You are hereby notified that the application of your two minor children, Eulah & Nicholas R Rogers

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

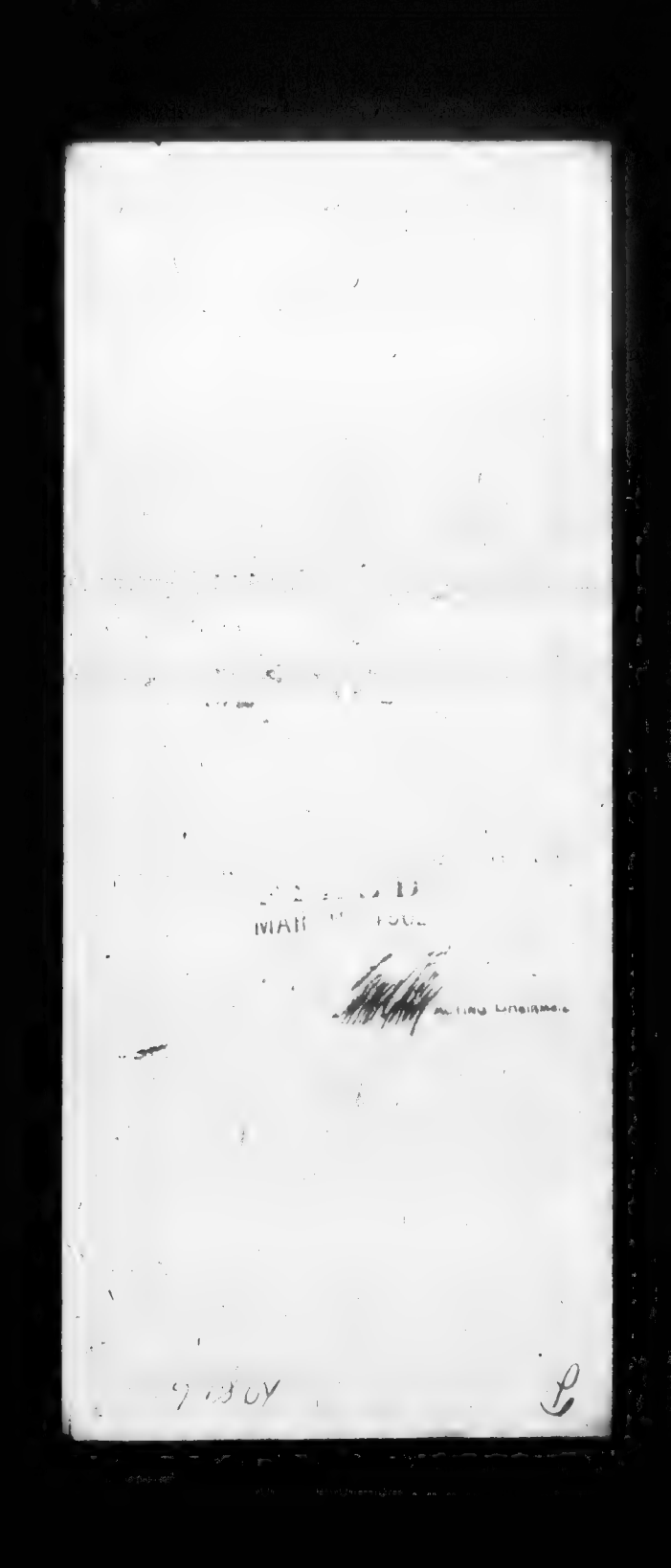
You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply this Commission with a copy of your marriage license, also a certificate of your marriage; also evidence as to the death of your wife's first husband.

Yours truly,

Commissioner in Charge.

Cherokee D. 816
Register



D. 816

INDIAN TERRITORY,
CHEROKEE NATION.

I hereby certify that I served the within notice on Love & Rodgers

by delivering a true copy thereof on the 5 day of march A. D. 1902

Given under my hand this 5 day of March A. D. 1902

Marshal for the Cherokee Nation.

I, the undersigned attorney for the within named applicant, hereby accept service of the within notice on this the ..... day of ....., 190 .

Attorney for applicant.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } S. S.

I do solemnly swear that I delivered a true copy of the within notice to

Love Rogers

on the 5 day of Feb. A. D. 1902

By leaving a Copy

Subscribed and sworn to before me this 7th Feb. 1902

John Warren

Notary Public.

NOTICE!

IN THE MATTER OF the application of [illegible] for enrollment as Cherokee citizens:

Case No. D [illegible]

To [illegible]

You are hereby notified that the Cherokee Nation will present before the United States Commission to the Five Civilized Tribes testimony on behalf of the Cherokee Nation tending to disprove your right to be enrolled as a Cherokee citizen at the office of the United States Commission to the Five Civilized Tribes in the town of Muskogee, I. T. Indian Territory, on [illegible] at 8 o'clock A. M. or from day to day thereafter until the same can be heard by said Commission during the usual business hours of said Commission for the taking of testimony both for and against applicants for enrollment as Cherokee citizens.

In testimony whereof, the undersigned representatives of the Cherokee Nation have hereunto set our hands this [illegible]

W. W. Hastings

Attorneys for the Cherokee Nation.

Cherokee D 814.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Love Rogers for the enrollment of his two minor children, Eula C. and Nickolas E. Rogers, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 33.

3PY

Cherokee B 816.

Muskogee, Indian Territory, October 30, 1902.

Love Rogers,

Adair, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of your two minor children, Eula C. and Nickolas R. Rogers, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby,
Acting Chairman.

Register.

Enclosure H. No. 73.

Cher 9794

Mary E. Hogue

See D 824; D 823; R 400

Cher 9794

2824

NOV

-2-

R.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Chelsea, I.T. November 19th, 1900.

IN THE MATTER OF THE APPLICATION OF JOSEPH S HOGUE FOR THE ENROLLMENT OF HIMSELF, HIS WIFE AND ONE CHILD, AS CHEROKEE CITIZENS.

The said Joseph S. Hogue, being sworn by Commissioner C. R. Breckinridge, was examined by the Commission, and testified as follows:

Q What is your name? A Joseph S. Hogue.
Q What is your age? A Thirty-four.
Q What is your post office address? A Chelsea.
Q Are you a Cherokee citizen by blood or adoption? A By adoption.
Q For whom do you make application? A Myself and wife and one child.
Q How long have you resided in the Cherokee Nation? A Since 1886.
Q Have you been outside of the Cherokee Nation at any time within the past three years? A No, sir; not to live.
Q What is the name of your father? A Joe Hogue.
Q Is he living? A No, sir.
Q What is the name of yourmother? A Sarah J. Condry is her maidenname.
Q Is she living? A Yes, sir.
Q Were your parents ever recognized as citizens of the Cherokee Nation? A No, sir.
Q Are you married? A Yes, sir.
Q What is the name of your wife? A Mary E. Hogue.
Q How old is she? A Nineteen years.
Q Is she a Cherokee by blood? A Yes, sir.
Q What degree of Cherokee blood do you claim for your wife? A I don't know.
Q What is the name of her father? A Richard A. Clark.
Q Is he living or dead? A He is living.
Q Is he a white man? A I suppose so.
Q What is the name of your wife's mother? A Emily Clark.
Q Is she living? A Yes, sir
Q Is she a Cherokee? A Yes, sir.
Q How long has your wife resided in the Cherokee Nation? A Why I think a little over three years since they came here the last time.
Q Where did she live prior to that time? A Jackson Tennessee.
Q How long did she live there? A I couldn't say.
Q Did she live there a month or a year? A I don't know. She lived here when I first knew her.
Q When did you meet her? A About three years ago.
Q Has she lived here continuously since that time? A Yes, sir.
Q When were you married to her? A June 5th, 1898.
Q Have you any evidence of your marriage? A Yes, sir; I have a marriage certificate.

THE COMMISSION: The applicant presents a marriage certificate certifying that J. S. Hogue and Miss Mary Clark were united in marriage by J. E. Vick, a minister of the gospel, on the 5th day of June 1898. The certificate is not in a condition to be filed and will be returned to the applicant.

Q Give me the name of your child please. A Joseph C. Hogue.
Q How old is he? A He is about nine months old.
Q Is this child alive and living with you at the present time? A Yes, sir.
Q Is is a child of your present wife? A Yes, sir.
Q Were you ever married before? A No, sir.
Q Have you lived with your wife continuously since you married her in 1898? A Yes, sir.

Q Was your wife ever admitted to citizenship by an act of the Cherokee National Council? A I suppose so.

THE COMMISSION: Attention is called to the document filed in the case of Richard A. Clarke, which is an act of the Cherokee National Council admitting one Mary E. Clarke to citizenship in the Cherokee Nation on the 23rd day of November 1888. This is accepted as satisfactory proof of the admission of the applicant's wife.

Q Is the Mary E. Clarke mentioned in this document your wife? A Yes, sir.

Q Do you know when your wife removed to the Cherokee Nation the last time? A No, sir; I do not.

1896 Roll, page 139, No. 1217, Mary E. Clark, Cooweescoowee District.

THE COMMISSION: The applicant applies for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife and one child as citizens by blood, of the Cherokee Nation. He produces satisfactory proof as to his marriage on the 5th day of June 1898, to his present wife. This was too late for him to acquire property rights in the Cherokee Nation under the Cherokee law of 1898, and consequently his application for enrollment as a citizen by intermarriage of the Cherokee Nation is rejected. Satisfactory proof as to the admission of his wife to citizenship in the Cherokee Nation is filed in the case of her father, Richard A. Clarke. She was admitted to citizenship on the 23rd day of November, 1888. Attention is also called to the case of Richard A. Clarke in which it appears that this child frequently visited in the States and remained away from the Cherokee Nation as long as two or possibly three years at one time. She is identified upon the census roll of 1896, as a native Cherokee, and will be listed as such by this Commission. When the applicant files with the Commission properly executed affidavits as to the birth of his child, this child, also will be listed with its mother as a citizen by blood.

For the further consideration of the Commission, the applicant's wife and child will be listed upon what is known as a doubtful card, and when final judgment is rendered in their case, he will be notified in writing at his present post office address.

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The undersigned being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 20th day of November A. D. 1900.

Commissioner.

Declaration of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 19 1900 1900.

Children 23

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

1 Wife's name Mary E. Hogue

District COOWEESCOOWEE. Year 1896 Page 139 No. 1217

Citizen by blood yes Mother's citizenship .....

Intermarried citizen no

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

2 Joseph C Hogue Dist. ..... Year ..... Page ..... No. ..... Age 9 mo

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

1 in 1896 roll as Mary E Clark.

2 Birth affidavit

20

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of the

Nation.

Approved, Jan. 18 1900

Commissioner.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Joseph C. Hogue, born on the 7th day of January, 1900.
(Here insert name of child.)

Name of Father: Joseph S. Hogue, a citizen of the Cherokee Nation.

Name of Mother: Mary E. Hogue a citizen of the Cherokee Nation.

Post-office, Webbers Falls.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } ss.
Northern District. }

I, Mary E Hogue, on oath state that I am 19 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Joseph S Hogue, who is a citizen, by Adoption, of the Cherokee Nation; that a male (male or female) child was born to me on the 7th day of January 1900; that said child has been named Joseph C Hogue, and is now living.

Mary E Hogue
mark

WITNESSES TO MARK:

(Must be Two Witnesses.) D G Elliott
Cynthia Dickson

Subscribed and sworn to before me this 17 *day of* November 1900.

David G Elliott
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } ss.
Northern District. }

I, Thomas B Dixon, a Physician, on oath state that I attended on Mrs. Mary E Hogue, wife of Joseph S Hogue on the 7th day of January, 1900; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Joseph C. Hogue

WITNESSES TO MARK:

(Must be Two Witnesses.)

Thomas B Dixon

Subscribed and sworn to before me this 17 *day of* Nov 1900.

David G Elliott
NOTARY PUBLIC.

Supl. C.D. #824.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 8th, 1902.

SUPPLEMENTAL in the matter of the enrollment of MARY E. HOGUE, ET AL., as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 18, 1902, that her application for the enrollment of her self and child as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 10th day of March, 1902. Receipt has been acknowledged of Commission's letter And the applicant this day, to-wit: the 8th day of March, 1902, appears by her Attorney, D. M. Wisdom, and by agreement the case is taken up for consideration.

The Attorney for the applicant and representative of the Cherokee Nation present submit the case. The same is considered completed and will be reported to the Commission for final decision based upon the evidence now of record. The attorney for the applicant requests and will be granted 15 days in which to file a brief, one copy with the Commission and one copy with the representative of the Cherokee Nation.

Commissioner.

Laws of the National Council Passed Regular session 1888.
Senate Bill No. 14.

An Act readmitting citizens into the Cherokee nation.

Be it enacted by the National Council: That the following names, Benjamin F. Marquess, and Charles L. Maxwell, Emily, Mary E. Sarah E. R. Lucy C, Wallace H. And Addie C. Clark and Elizabeth Payne be and the same is hereby readmitted to all the rights and privileges of Cherokee citizenship; provided they return to the Cherokee Nation within one year after the passage of this act, and all white men who have married the aforesaid Cherokee women must be married according to the laws of the Cherokee nation regulating intermarriage between Cherokee women and citizens of the United States.

Passed Senate Nov. 22 1888.

M. Daniel,
Clk, Senate.

Lacy Hawkins,
President Senate.

Concurred in by the House Nov. 23rd 1888.

R. B. Choate,
Clk, of Council.

Robert Maigs,
Speaker of Council

Approved November 23rd 1888.
J. B. Mayes, Prin. Chief.

Executive Office Cherokee Nation,
Tahlequah I. T.

I, B. W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of laws passed by the National Council in the year of 1888 and approved by the principal Chief, the same being a part of the records of this office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 16th day of November 1900.

B. W. Alberty
Seal Assistant Executive secretary Cher. Nation.

Muskogee, I. T., June 9, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of a Certified copy of Senate Bill No. 14 now on file in the office of the Commission.

H. M. Vance

DEPARTMENT OF THE INTERIOR.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

BRIEF OF COUNSEL FOR APPLICANT.

IN THE MATTER OF THE APPLICATION OF JOSEPH S. HOGUE FOR THE ENROLLMENT OF HIMSELF, HIS WIFE AND ONE CHILD:

The applicant, who applies for the enrollment of himself as a citizen by marriage, in the Language of the Commission in the decision in the preliminary hearing, was married on the 5th. day of June 1898 to his present wife, Mary E. Clark "which was too late for him to acquire property rights under the Cherokee Law of 1895. Consequently his application for enrollment was rejected by the Commission and properly so, and from the the decision of the Commission as to him, we take no appeal and make no exception.

His wife, Mary E. Hogue, is a daughter of Richard A. Clark and Emily Clark D. ___ No. 523 and she was readmitted to citizenship with her mother and other members of the family on the 23rd. day of November 1888 by an act of the Cherokee Council of that date, and she has resided continuously in the Cherokee Nation since that time, except when she made occasional visits to Tennessee to visit her father, who is a rail-road engineer. She was a minor during said visits and has never renounced her citizenship in the Cherokee Nation.

She is identified and listed as a native Cherokee in the roll of 1896. Since her marriage to said Joseph A. Hogue one child has

been born to them, whose name is Joseph C. Hogue and a duly certified affidavit of the birth of said child is filed with the papers in this case and to which special reference is made.

We insist that said Mary E. Hogue nee Mary E. Clark, with her son, Joseph C. Hogue are entitled to enrollment as Cherokee citizens by virtue of proof both as to blood and residence.

Respectfully Submitted,

Wisdom & Turner.
Attys. for Applicant.

Cherokee D 824

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary E. Hogue and Joseph C. Hogue as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on November 19, 1900, Joseph S. Hogue appeared before the Commission at Chelsea, Indian Territory, and made personal application for the enrollment of his wife Mary E. Hogue, and their minor child Joseph C. Hogue, as citizens by blood of the Cherokee Nation. The application also included himself, but he is differently classified and is not embraced in this decision.

The evidence shows that Mary E. Hogue, nee Shark, among others, was readmitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on November 23, 1888. She is identified on the Cherokee Strip Payment Roll of 1894, also the Cherokee Census Roll of 1896. The minor son Joseph C. Hogue, is identified by a certificate of birth filed herewith. At the time of this application Mary E. Hogue was 19 years of age. She was married on June 5, 1898, to Joseph S. Hogue, and has lived continuously in the Cherokee Nation since that time up to and including the date of this application.

It is, therefore, the opinion of this Commission that Mary E. Hogue and Joseph C. Hogue should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 5 1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BROCKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 18, 1902.

Joseph S. Hogue,

Chelsea, Indian Territory

Sir:

You are hereby notified that the application of your wife, Mary E Hogue, and minor child,

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 10, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Acting Chairman
Commissioner in Charge.

Enrolling D. 884
Dockets

Cherokee D 824.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Joseph S. Hogue for the enrollment of his wife, Mary E. Hogue, and his minor child, Joseph C. Hogue, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. Dp. 32.

COPY.

Cherokee D 824.

Muskogee, Indian Territory, October 30, 1902.

D. M. Wisdom,
Attorney for Mary E. Hogue et al,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Joseph S. Hogue for the enrollment of his wife, Mary E. Hogue, and his minor child, Joseph C. Hogue, as citizens by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Register.

Enclosure H. No. 72.

COPY. Cherokee D 824.

Muskogee, Indian Territory, October 20, 1903.

Joseph S. Hogue,

Chelsea, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1903, granting your application for the enrollment of your wife, Mary E. Hogue, and your minor child, Joseph C. Hogue, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure H. No. 71.

Cher 9795

Clarence L. Smith

Cher 9795

COMMISSION TO THE FIVE CIVILIZED

FILED

NOV 27 1900

ACTING CHAIRMAN

Department of the Interior,
Commission to the Five Civilised Tribes,
Chelsea, I. T. November, 20th 1900

In the matter of the application of Wallace M. Smith for the enrollment of his three children Clarence L., Maude A. and Freeman C. Smithas Cherokee citizens. He being sworn before Commissioner Breckinridge testified as follows-

Q What is your name Wallace M. Smith.
Q How old are you? A. 54.
Q What is your post office? A. Allowee
Q What is your district, Coowescoowee? A. Yes sir
Q Do you apply for the enrollment of yourself? A. Myself and three children.
Q Are you a white man? A. Yes sir.
Q Do you apply as a Cherokee by intermarriage? A. Yes sir.
Q How often have you been married? A. Two times.
Q Who did you marry the first time? A. Georgie Raby, a Cherokee citizen
Q Where were you married to her? A. Eufala, at her sisters.
Q When were you married to her? A. There is the certificate.
Q First of January, 1880? A. Yes sir.
Q Are you on the roll of 1880? A. I dont know I think I am.
Q Did you get a Cherokee license when you married your wife? A. No sir.
Q Was she a Cheroke by blood? A. Yes sir.
Q How long did you live with her? A. Until 4 years ago wan she died.
Q She was a Cheroke by blood was she? A. Yes sir.
Q Was she ever married before she was married to you? A. No sir.
Q Were you ever married before you married her? A. No sir.
Q What was her fathers name? A. Raby, he was a white man killed at Webbers Falls.
Q What was his given name? A. I dont know.
Q Do you know what her mothers name was? A. No sir I dont know.
Q How old was your wife when she died? A. 41. That is the date on her tombstone.
Q Are you on any roll of the Cherokee Nation? A. No sir I dont think so.
Q Are these children of that Cherokee wife? A. Yes sir, I got their names from the bible this morning.
Q The oldest one is Clarence L. is it? A. Yes sir.
Q 19 years old? A. Yes sir.
Q Next child is Maude A. is it ? A. Yes sir.
Q 15 years of age? A. Yes sir.
Q Next is Freeman C., is that right? A. Yes sir.
Q 13 years old? A. Yes sir.
Q Are they all living now? A. Yes sir.
Q Did your wife lived in the Cherokee Nation from he time she married you until she died? A. Yes sir, al her life.
Q Where was she in 1880? A. Mile and a half from the line visiting her sister Mrs. Williscn in the Creek Nation.
Q Did she have any sisters? A. Yes sir two half sisters, Dollie and Mary Mackey.
[redacted]
Q Were they both unmarried in 1880? A. Dollie was single, Mary was married.
Q What was Mary's name in 1880? A. Williscn.
Q Did they have the same mother? A. Yes sir.

1896 roll, Page 254, No 4377, Georgia R. Smith, Coowescoowee, N. C.
1896 " 254 4378 Clarence Smith "
1896 " 254 4379 Maude A. Smith "
1896 " 254 4380 Freeman Smith "

Q Had your wife no full brothers or sisters? A. No sir.
Q She was an only child wasnt she? A. Yes sir.
Q Her mother was a former wife of Mary Mackeys father? A. I think so
Q What was Mackeys given name? A. Couldnt tell.
Q Do you know what Official position he held at any time? A. No sir
Q Do you withdraw the application for yourself? A. Yes sir.

The applicant applies for the enrollment of his three children, children by his former wife. He makes no application for himself He avers that he was married to his first wife in accordance with Cherokee laws and he presents a certificate of marriage showing that he and his wife were united in marriage January 1st 1880. This is filed herewith. He states that as far as he knows she lived in the Cherokee Nation all her life, and that he and she lived together as husband and wife until some three years ago when she died. She is not identified on the roll of 1880, but she is identified on the 1896 roll. The three children named in the testimony are identified on the 1896 roll; they are living now. It is not considered that the status of the applicants ~~wife~~ deceased wife as to Cherokee citizenship has been established to the satisfaction of the Commission, and therefore these children will now be listed as Cherokees by blood but on a doubtful card for further consideration to await further evidence of their mothers Cherokee citizenship.

Chas. von Weise being sworn states that as stenographer to the Five Civilized Tribes he reported in full all the proceedings in he above cause and that the foregoing is a full, true and correct transcript of his stenographic notes thereof.

Chas von Weise

Subscribed and sworn to before me this the 31st of November, 1900.

M D Green

Commissioner.

COOWEESCOOWEE

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 20 1900 1900.

Name Allowed, D.C.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

1 Clarence L. Smith Dist. COOWEESCOOWEE. Year 1896 Page 254 No. 4378 Age 19

2 Manda A. " Dist. " Year " Page 254 No. 4379 Age 15

3 Freeman C. " Dist. " Year " Page 254 No. 4380 Age 12

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

Dist. ..... Year ..... Page ..... No. ..... Age .....

1 On 1896 roll as Clarence Smith,

2 " " " " Manda A. "

3 " " " " Freeman "

Evidence of nativity of mother to be supplied.

COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

DEC 4 1900

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 4th, 1900.

SUPPLEMENTAL TESTIMONY IN THE MATTER OF THE ENROLLMENT OF THE CHILDREN OF WALLACE L. SMITH, CASE "D", #848.

Henry C. Lowry, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q Give me your full name? A Henry C. Lowry.
Q How old are you? A Fifty one.
Q What is your Postoffice? A Muskogee.
Q In what district do you live? A Canadian.
Q You want to give some additional testimony I believe in the application of Mr. Wallace L. Smith for the enrollment of his children? A Yes sir.
Q The question is in regard to the citizenship of his deceased wife: It appears that her name is not found on the roll of 1880: Can you explain why she is not on the roll of 1880?
A No sir, I can not.
Q You knew her, did you? A Yes sir.
Q What was her name? A Georgia Raby.
Q Was she born in the Cherokee Nation? A I do not know that: I never knew her until she was a good sized girl.
Q You knew her before the roll of 1880 was made? A Yes sir.
Q Did you know her mother? A No sir.
Q Did you know her father? A No sir.
Q What knowledge have you relating to her right to be considered as a Cherokee? A She was in a Cherokee family, and always considered a Cherokee.
Q There never was any question entertained about her not being a Cherokee? A No sir.
Q Her mother died before you knew the girl? A Yes sir.
Q And you did not know her mother? A No sir.
Q What sisters did she have? A Mary and Dollie Mackey.
Q Were they full sisters or half sisters?
A They were half sisters.
Q They had the same mother, did they? A Yes sir, that was the understanding.
Q They were half sisters through their mother? A Yes sir.
Q Was Mackey, the father of Mary and Dollie a white man or a Cherokee? A Cherokee.
Q And Raby: What was he? A I think he was a white man.
Q Have yo u any knowledge whether the mother of Dollie, Mary and Georgia; the mother of these three children: Have you any knowledge as to whether their mother was a Cherokee woman?
A No sir, only by the connection.
Q You do not know of your own knowledge? A No sir.
Q Do you know whether this woman, Georgia Raby, was ever admitted to the Cherokee Orphan Asylum? A I do not know.
Q Was she generally recognized as a Cherokee by blood? A Yes sir.

By Mr. J. L. Baugh, Cherokee Representative:
Q Do you know where she was living in 1880? A No sir.

McCoy Smith, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:
Q Give me your full name? A McCoy Smith.
Q How old are you? A Fifty four.
Q What is your Postoffice? A Braggs Station.
Q In what district do you live? A Canadian.
Q How long have you lived in the Cherokee Nation?
A Fifty four years.
Q All your life? A Yes sir.
Q You and Mr. Lowry, who testified just now, are both members of the Cherokee Council, are you not? A Yes sir.

Q Did you know Georgia Raby? A Yes sir.
Q She was married to Wallace M. Smith, I believe?
A I do not know who she married.
Q You knew her in her childhood? A Yes sir.
Q Did you know her mother? A Yes sir.
Q She died before 1880, did she? A Yes sir.
Q Was her mother a Cherokee woman? A Yes sir.
Q About what proportion of Cherokee blood do you think she had?
A About one fourth: She may have been more than that: Her mother and father were both Cherokees.
Q Raby himself was a white man: So Georgia Raby got her Indian blood through her mother? A Yes sir.
Q Do you know of any descendents of this Georgia Raby that are likely to be found on the roll of 1880: Any son or daughter?
A No sir, I do not.
Q Do you know of any son or daughter of Georgia Raby's mother that will be found on the roll of 1880? A She has two sisters, Mary and Dollie Macky: Mary is the oldest: Dollie is the youngest.
Q Mary and Dollie Macky? A Yes sir.
Q That was their name before they were married? A Yes sir.
Q Are they still living? A I think they are.
Q They are half sisters of Georgia Raby, through their mother?
A Yes sir.
Q And the father of Mary and Dollie Macky was a Cherokee himself?
A Yes sir.
Q In 1880, Dollie Macky was not married? A No sir, I do not think she was.
Q But Mary Macky was married? A Yes sir.
Q What is the name of the father of Mary and Dollie Macky?
A William Macky: I think he died in ~~1883~~ about 1877.
Q Was Georgia Raby born in the Cherokee Nation? A Yes sir, at Webbers Falls.
Q What did she do in the way of living outside of the Cherokee Nation? A I think it was in 1874 the last account I had of her: I saw her up at Texana: She was living with her grand mother, about seven miles back from Bugaula this way.
Q Did she teach school in the Creek Nation? A I do not know.
Q She had relatives over there? A Yes sir.
Q She was married more than once, was she not?
Q I do not know that she was ever married at all.
Q How long since Georgia Raby died? A I do not know.
Q Have you any idea how old she would be if she were living now?
A She was born about 1860 or 1861: Her father was killed I think in 1861.
Q She was a little infant then? A Yes sir, she was born a little while after that, or a little while before: I do not remember which.
Q She was still a minor when the roll of 1880 was taken?
A Yes sir.

Wallace M. Smith, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:
Q Your name is Wallace M. Smith? A Yes sir.
Q Mr. Smith, when was it that your wife, George Smith (Raby) died?
A She died about the 19th day of February four years ago I think: I may be mistaken; four or five years ago.
Q You married her here in the Cherokee Nation at Bugaula?
A Yes sir.
Q Did you and she live together in the Cherokee Nation from the time of your marriage until the time of her death?
A Every minute. Yes sir.
Q Did she draw Cherokee Strip money? A Yes sir.she drew her money.
Q And I believe you stated in your former application that the reason she was not on the roll of 1880 was because she was on a

visit to her sister across the Creek line? A Yes sir.
Q That was just before you married her? A Yes sir, she was over there visiting her sister.
Q How old was she when you married her? A She was a grown girl; perhaps nineteen or twenty years of age.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R A Travis

Subscribed and sworn to before me this 4th day of December, 1900.

COMMISSIONER.

This Certifies

That on the first day of
January
IN THE YEAR OF OUR LORD
1880
[illegible] Smith
and [illegible] Ruby
were by me united in
Marriage
at the residence of W. Wilson
according to the laws of the State of Texas
W. W. Buckner
J. D. Wilson
Mary Wilson

Supl.-C.D.#848.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 11, 1902.

SUPPLEMENTAL IN the matter of the enrollment of CLARENCE L. SMITH, ET AL., as citizens of the Cherokee Nation; testimony introduced on part of applicants:

The applicant's father, Wallace M. Smith, was notified by registered letter February 19, 1902, that the application of his children for enrollment as Cherokee citizens would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 11th day of March, 1902. Receipt has been acknowledged of Commission's letter, and the applicant this day, to-wit: the 11th day of March, 1902, appear by their father.

Mr. W. W. Hastings, Cherokee Representative, present.

WALLACE M. SMITH, being duly sworn, testified as follows, being additionally cross-examined by the Cherokee Nation:
MR. HASTINGS:

Q Your name is Wallace M. Smith? A Yes, sir.
Q Your post office is Alluwe? A Yes, sir.
Q Where did you live the first year afer you and your wife, Georgia married? A We just lived at various places; we boarded at the Strokes Hotel here in town, and at Triplett's at Briar Town. We never had any home for the xxxxxxxxx first year until I bought 15 miles east of Vinita.
Q I am not asking you about 1880 A Part of the time we was here in this town, boarded at Mr. Strokes Hotel.
COMMISSION:
Q Is there any further statement you wish to make relative to the enrollment of your children? A I wish to introduce testimony that they are Mrs. Smith's children; also by her uncle here that she is a natural born Cherokee citizen.

ELLA D. HARVISON, being duly sworn, testified as follows on part of the applicants:
COMMISSION:
Q What is your name? A Ella D. Harvison.
Q How old are you? A I am 37 years old.
Q What is your post office address? A Gibson Station.
Q Are you acquainted with the applicants in this case, the children ofWallace M. Smith and his wife, Georgia Smith? A Yes, sir.
Q Did you know his wife? A I did.
Q When did you first become acquainted with her? A I can't hardly tell, she was my half sister.
Q By the same mother or same father? A Same mother.
Q Are you a recognized citizen of the Cherokee Nation? A I am Cherokee by blood.
Q Your name is on the roll of 1880? A I don't know whether it is on there or not.
Q Did your sister prior to her death make the Cherokee Nation her home all the time? A Yes, sir.
Q Was she always recognized as a Cherokee citizen? A Yes, sir.
Q Did you ever hear her rights disputed by any one? A No, sir.

and Freeman C.? A Yes, sir.
Q The children are living at this time? A Yes, sir.
MR. HASTINGS:
Q Which was the older you or she? A She was the older.
Q How much? A She was about eight years older than I/
Q You can remember back for 30 years, can you? A Yes, sir.
Q Where was she living then? A Cherokee Nation.
Q Please tell me; I want to know in what district? A Canadian district.
Q Did she live there up until her marriage? A Yes, sir.
Q All the time? A Yes, sir.
Q She was married January 1, 1886 according to the certificate filed
A Yes.
Q What was your mother's name? A Nancy Drew.
Q What relation was she to John Drew? A She was his sister.
Q Full sister? A Half sister, same father.
Q Now, a while ago when you were asked if you were a citizen by blood you said you had Cherokee blood; are you a citizen of the Cherokee Nation? A I don't know, I have been out of the Nation for several years; I don't know whether I am on the roll or not.
Q Are you a citizen of the Creek Nation? A I suppose I am.
Q Haven't you been enrolled and taken an allotment over here?
A Yes, sir.
Q Wasn't this woman a Creek? A No, sir.
Q She was only Cherokee? A Yes, sir.
Q You got your Creek from your father's side? A No, sir.
Q You didn't? A No, sir.
Q Well, don't you know whether you have been enrolled over here in the Creek Nation? A Yes, sir, I have.
Q Where did you get your Creek blood then? A I haven't got any.

JOHN T. DREW, being duly sworn, testified as follows on part of applicants:
COMMISSION:

Q What is your name? A John T. Drew.
Q How old are you? A 57.
Q What is your post office address? A Fort Gibson.
Q Are you acquainted with the applicants in this case, Wallace M/ Smith and Georgia Smith? A I am acquainted with Georgia Smith.
Q Are you related to her? A Yes, sir; she is a niece of mine.
Q Was her mother your sister? A Yes, sir, half sister.
Q Did you have the same mother or same father? A Same father.
Q Where did Georgia Smith live prior to her death? A Well, for the last few years, after she married, I don't know xxx where she did live, Cooweescoowee or Delaware.
Q Do you know that she has lived in the Cherokee Nation? A Yes, sir; that has been my information.
Q Where was she living from her birth up until she married?
A Canadian District, Cherokee Nation.
Q Was her mother a Cherokee? A Yes, sir.
Q When did her mother die? A I don't remember just when she did die; while after the war.
Q When did Georgia Smith die? A I don't know.
Q Had she always been recognized as a citizen of the Cherokee Nation
A Yes, sir.
Q Did you ever hear her right disputed? A No, sir.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Was Georgia Smith's father a white man or Cherokee?
A He was a white man.
MR. HASTINGS:

Q You know where Georgia Smith was born? A I am not positive about that; but I think she was born in Canadian, I think right at Webbers Falls.
Q Her mother was a recognized half sister of yourself? A Yes, sir.
Q Younger than you? A No, sir, older.
Q Was her mother a Cherokee; that is, George Smith's mother's mother? A Grandmother, yes, sir, she was a recognized Cherokee.
Q You and her mother had the same father? A Yes, sir.

WALLACE M. SMITH, recalled:
COMMISSION:

Q Is there any further statement you desire to make relative to this application: A That is all I know of that can be proven.
Q Do you submit the case? A Yes, sir.

Commission: The father of the applicants and representative of the Cherokee Nation present submit the case. The same will be considered completed and will be reported to the Commission ~~xx x~~ for final ~~consideration~~ decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes, that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson
Stenographer.

Cherokee D 848

CERTIFICATE OF MARRIAGE.

This Certifies

That on the first day of January IN THE YEAR OF OUR LORD 1880 Mr W. W. Smith and Miss Georgia Raby were by me united in Marriage at the residence of Mr Willison according to the laws of the State of Creek Nation

Witnesses : (J. D. Willison H. F. Buckner
(Mary Willison

Muskogee, I. T., May 27, 1902.

I, H. M. Vance, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above is a true and correct copy of an original Marriage Certificate now on file in the office of the Commission.

H. M. Vance

Cherokee D 848

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Clarence L. Smith, Maude A. Smith and Freeman C. Smith as citizens by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on November 20, 1900, Wallace M. Smith appeared before the Commission at Chelsea, Indian Territory, and made personal application for the enrollment of his three minor children Clarence L., Maude A. and Freeman C. Smith, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on December 4, 1900, and again at Muskogee, Indian Territory, on March 11, 1902.

The evidence shows that Wallace M. Smith is a white man, and was married on the first day of January, 1880, in accordance with the laws of the Creek Nation, to one Georgia Raby, who he claims was a citizen by blood of the Cherokee Nation. She is not identified on the Cherokee Authenticated Tribal Roll of 1880, and the reason therefor is she was visiting her sister in the Creek Nation at the time of the preparation of said roll. Georgia Smith, nee Raby, is identified on the Cherokee Strip Payment Roll of 1894. Her death occurred on the 19th day of February, 1896. Clarence L. Smith, Maude A. Smith and Freeman C. Smith are identified on the Cherokee Strip Payment Roll of 1894, also on the Cherokee Census Roll of 1896, as native Cherokees. Georgia Smith, nee Raby, lived in the Cherokee Nation continuously from the time of her marriage up to the time of her death. It is considered that the residence of the minor children, the applicants in this case, has been continuously in the Cherokee Nation.

It is, therefore, the opinion of this Commission that Clarence L. Smith, Maude A. Smith and Freeman C. Smith should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty one of the Act of Congress approved June 28, 1898, (30 Stats., 495), andit is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

[illegible] COMMISSION [illegible] CIVILIZED TRIBES
FILED
1906

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 19, 1902.

Mr. Wallace M. Smith,

Alluwe, Indian Territory.

Sir:-

You are hereby notified that the application of Clarence L., Maude A., and Freeman C. Smith

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 11th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-648
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

Cherokee D 448.

COPY

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Wallace M. Smith for the enrollment of his three minor children, Clarence L., Maude A. and Freeman C. Smith, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. C. No. 31.

Copy.

Cherokee D 648.

Muskogee, Indian Territory, October 30, 1902.

Wallace M. Smith,

Alluwee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your three minor children, Clarence L., Maude A. and Freeman C. Smith, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby.
Acting Chairman.

Register.

Enclosure H. No. 70.

Cher 9796

Mary L. Childers

Cher 9796

FILED
NOV 27 1900
COMMISSION FOR FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Chelsea, I.T., November 21, 1900.

IN THE MATTER OF THE APPLICATION OF MARY LOUISA CHILDERS FOR THE ENROLLMENT OF HERSELF AS A CHEROKEE BY BLOOD/

The said Mary Louisa Childers, being sworn by Commissioner C. R. Breckinridge, was examined by the Commission, and testified as follows:

Q What is your name? A Mary Louisa Childers.

Q How old are you? A About twenty-nine, the nearest I can guess.

Q What is your post office address? A Tulsa, Indian Territory.

Q Are you a Cherokee by blood? A Yes, sir.

Q What degree of Cherokee blood do you claim? A About one-fourth, I guess.

Q For whom do you make application? A Just myself.

Q How long have you actually resided in the Cherokee Nation? A About eighteen years.

Q Have you been outside of the Cherokee Nation within the past three years? A To live out?

Q Yes. A No, sir.

Q What is the name of your father? A William Charley.

Q Is your father living or dead? A My father is dead.

Q Was your father a Cherokee? A Yes, sir.

Q What is the name of your mother? A My mother's name now is Nancy Hogue.

Q Your mother is living? A Yes, sir.

Q Is your mother a Cherokee? A No, sir.

Q Are you married? A Yes, sir.

Q What is the name of your husband? A Sam Childers.

Q Is he living? A Yes, sir.

Q How old is he? A Thirty.

Q Is he a Cherokee? A No, sir; he is a Creek.

Q Have you any children? A No, sir.

Q When were you married to Childers? A In 1894, October 15th, 1894.

Q Were you ever admitted to citizenship by an act of the National Council? A I think I have.

Q Have you any evidence of that fact? A No, sir.

1896 Roll, page 140, No. 1228, Mary Childers, Coweescoowee District.

Q Did you draw money in 1894 from the Cherokee Nation? A Yes, sir.

Q Where were you born? A I don't know. In Oklahoma, I reckon.

Q Did you come to the Cherokee Nation eighteen years ago? A Yes, sir.

Q Had you ever lived here before that time? A I don't know.

Q Was Sam Charley your grandfather? A Yes, sir.

THE COMMISSION: The name of the applicant is found upon the list of persons admitted and readmitted to Cherokee citizenship by an act of the National Council and Commission on Citizenship in the year 1890 and since that year. This list is in the possession of the Cherokee Representative present. The name appears upon the list as Mary Chirly, admitted by the Council on the 8th day of December, 1891.

Q You have not any documentary evidence of your admission to citizenship in 1891, have you? A No, sir.

THE COMMISSION: [illegible] for the enrollment of herself as a Cherokee by blood. The Commission [illegible] the application. And it is [illegible]

ship, in the possession of the Cherokee Representatives present. She does not produce any documentary evidence as to this fact. She has lived in the Cherokee Nation for eighteen years.

For the reason that she does not produce either the original or a certified copy of the certificate admitting her to citizenship in the Cherokee Nation, she will be placed upon what is known as a doubtful card, and will be required to file with the Commission either the original or a certified copy of the act of the Cherokee National Council or Commission admitting her to citizenship in the Cherokee Nation.

---o---

The undersigned, being sworn, states that stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and otherproceedings in this application for enrollment and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 2nd day of November 1900.

Guy L. V. Emerson
Notary Public

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 21 1900 1900.

Name Julia I. [illegible]

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage NOV 21 1900

License [illegible] Certificate NOV 21 1900

Wife's name Mary L. Childers

District COOWEESCOOWEE. Year 1896 Page 140 No. 1228

Citizen by blood 1/8 Mother's citizenship W

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children

[illegible] Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

1/4 Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

I on 1896 roll as Mary Childers

Certificate of readmission to be supplied

H 5854

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
TO THE CHEROKEE TRIBES

FILED
1903 MAR 25 PM 4:30
DEPARTMENT OF THE INTERIOR

---oOo---

Supl.-C.D.#854.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 19, 1902.

SUPPLEMENTAL in the matter of the enrollment of MARY L. CHILDERS as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 19, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 19th day of March, 1902. Receipt was acknowledged of Commission's letter, and on said date the case was continued by agreement until the 19th day of March, 1902. The applicant this day, to-wit: the 19th day of March, 1902, appears in person. The record in the case is now deemed completed and the case will be reported to the Commission for final decision based upon the evidence now of record.

The applicant requests and will be granted ten days from date hereof in which to furnish the Commission with evidence of her admission to citizenship in the Cherokee Nation by the Cherokee National Council.

---oooOOOooo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J C Rosson

An act admitting Samuel Chirley to the rights of citizenship.

Be it enacted by the National Council:

That Samuel Chirley, a Cherokee with his family, consisting of himself, wife and eight children and three grand children, be and they are hereby admitted to all the rights of citizenship in the Cherokee Nation, the names of his children--Eliza - Onata -Susan -Anna - Frank - Sam - Lilla and, Sinda Charley- and his grand children are Mary and Jennie Charley and Collin Panther.

(Tahlequah C.N.) Dec.6th 1881.

John Sevier,
Speaker Council,

J.B.Mayes,
Clerk Council.

Concurred by the Senate, Dec 7th 1881.

Roach Young,
Prest.Senate.

D.R.Hicks,
Clerk Senate.

Approved Dec: 8th 1881.

D.W.Bushyhead,
Prin:Chief

Executive Office Cherokee Nation,

Tahlequah Ind Ter.

I, B.W.Alberty, assistant Executive secretary of the Cherokee Nation, do hereby certify that the foregoing is a true copy taken from the record of Laws of the Cherokee Nation made and kept in this Office and is in my legal custody.

Given under my hand and the seal of the Cherokee Nation, this the 21st day of March, 1902.

B. W. Alberty
Assistant Executive secretary,
Cherokee Nation.

5657 C.35V

An act admitting Samuel Chirley to the rights of citizenship.

Be it enacted by the National Council:

That Samuel Chirley, a Cherokee with his family, consisting of himself, wife and eight children and three grand children, be and they are hereby admitted to all the rights of citizenship in the Cherokee Nation, the names of his children--Eliza - Onata - Susan - Anna - Frank - Sam - Lilla and, Sinda Charley- and his grand children are Mary and Jennie Charley and Collin Panther.

(Tahlequah C.N.) Dec.6th 1881.

John Sevier,
Speaker Council.

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Clerk Senate.

Approved Dec: 8th 1881.

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Prin:Chief

Executive Office Cherokee Nation,

Tahlequah Ind Ter.

I, B.J.Alberty, assistant Executive secretary of the Cherokee Nation, do hereby certify that the foregoing is a true copy taken from the record of Laws of the Cherokee Nation made and kept in this Office and is in my legal custody.

Given under my hand and the seal of the Cherokee Nation, this the 21st day of March, 1902.

B. J. Alberty
Assistant Executive secretary,
Cherokee Nation.

Cherokee D 854

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mary L. Childers for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on November 21, 1900, Mary L. Childers appeared before the Commission at Chelsea, Indian Territory and made personal application for her enrollment as a citizen by blood of the Cherokee Nation.

The evidence shows that Mary L. Childers, under the name of Mary Charley, was admitted to citizenship in the Cherokee Nation, by an Act of the Cherokee National Council on December 8, 1881. She is identified on the Cherokee Census roll of 1896, under her married name.

The evidence further shows that the said Mary L. Childers has resided in the Cherokee Nation for eighteen years, and that she was a resident of said Nation at the time of the application herein.

It is, therefore, the opinion of this Commission that Mary L. Childers should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

CERTIFICATE OF MARRIAGE.

TERRITORY OF OKLAHOMA,
COUNTY OF PAWNEE.

THIS CERTIFIES THAT on the 15 day of January, A.D. 1903, at Pawnee, in said County, according to law and by authority, I DULY JOINED IN MARRIAGE, Mr. Percy Owen, of Turley, I.T., and Mrs. Mary Childers, of Turley, I.T.

That there appeared to be no lawful impediment to such Marriage, and that the parties were satisfactorily proven to be the persons described in this certificate, and of sufficient age to contract Marriage.

There were present as witnesses, Nellie Berry, of Pawnee, O.T. and T. S. Saunders, of Pawnee, O.T.

Given under my hand the 15 day of January, A. D. 1903.

Geo. T. Graves,
Probate Judge.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I.T., July 11, 1903.

BCJ

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Mary L. Owen as a citizen of the Cherokee Nation.

MH

T. B. Needles
Commissioner.

FILED

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 19, 1902.

Mrs. Mary L. Childers,

Tulsa, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 11th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with your certificate of readmission to Cherokee citizenship.

Cherokee D-854
Register.

Yours truly,

Acting Chairman.
Commissioner in Charge.

Cherokee P-D-[illegible]

Muskogee, Indian Territory, March 20, 1902.

Mrs. Mary L. Childers,

Tulsa, Indian Territory.

Dear Madam:-

The Commission is in receipt of your letter of March 16, relative to the final hearing of your application for enrollment as a citizen of the Cherokee Nation, your letter stating that you will not be able to appear before the Commission on March 18, the date set for such final hearing.

The Commission can not undertake to advise you as to what evidence will be sufficient in your case, though if you have a certificate which you wish to file it is suggested that you send same as promptly as possible. Unless you have some additional testimony which you wish to present, the record in your case will be deemed completed as it now stands and the Commission will render its decision as soon as practicable. You will be promptly informed of the final result.

Yours truly,

Commissioner in Charge.

COPY.

Cherokee D 884.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Mary L. Childers for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C, No. 30.

COPY

Cherokee 5 Ter.

Muskogee, Indian Territory, October 20, 1902.

Mary L. Childers,

Tulsa, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure H. No. 89.

Cher 9797
Zada Drew

Cher 9797

DOUBTFUL AS TO ZADA DREW.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 6th, 1900.

IN THE MATTER OF THE APPLICATION OF William Drew for the enrollment of himself and children as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A William Drew.
Q Any middle name? A No sir.
Q What is your age? A Forty seven.
Q What is your Postoffice address? A Ft. Gibson.
Q What district do you live in? A Illinois.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q Whom do you want to enroll? A Myself and two children.
Q Wife? A She is a white woman.
Q Are you married? A Yes sir.
Q What is the name of your wife? A Ellen Drew.
Q Is she a citizen by blood? A No sir, adopted.
Q Have you any certificate of marriage? A Yes sir.

By Com'r. T. B. Needles: The applicant presents a marriage license and certificate of marriage, certifying that he was married to one Mrs. Ellen Gallion, a citizen of the United States, on the 27th day of May, 1896.

Q How many children have you? A Two.
Q What is the name of the oldest one? A Zada Drew.
Q How old is she? A Five yearsold.
Q What is the name of the next one? A Clara., two years old.
Q Are these children living with you at this time? A Yes sir.
Q Was Zada born after your marriage? A No sir, but we were living together about three years before we were married.
Q You were never married before, then? A No sir, not before that child was born. We married after that child was born.
Q Were you living with her when this child was born? A Yes sir.
Q Living with her as man and wife? A Yes sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q Are you living with her now? A Yes sir.

Com'r. T. B. Needles Are you positive that Zada is your child?
A She says it is.

W. W. Hastings, Cherokee Representative:
Q Does she bear your name? A Yes sir.
Q How long had you been living with your wife as man and wife prior to the birth of this child? A I do not know: We were married in 1896.

Com'r. T. B. Needles: What year was the child born?
A She was five years old some time last month I think.
Q Born in 1895 then? A Yes sir.
Q Are they the only two children you had by this woman?
A Yes sir.
Q You are living with her now as your wife, are you? A Yes sir, we were separated a while.

Cherokee Representative, W. W. Hastings: Was that younger child Clara born during your separation? A Yes sir, the youngest one.
Q When did you separate from her? A About three years ago I guess.
Q How long after this separation was this child born? A It was not very long.
Q One month, two, six or a year? A It must have been [illegible]
[illegible]

Com'r. T. B. Needles:
Q You think about six months after your separation, Clara was born?
A Yes sir.
Q You never got a divorce? A No sir.
Q How long did you live apart? A About one year and a half I guess.
Q That was after your marriage, was it? A Yes sir, some time after we were married.

(1880 Roll, Page 13, #363, William Drew, Canadian District)
(1896 Roll, Page 1157, #758, William Drew, Tahlequah District)
(1896 Roll, Page 1278, #68, Ellen Drew, Tahlequah Dist)
(1896 Roll, Page 1157, #759, Zadie Drew, Tahlequah District)

Q Was your wife ever married before she married you? A Yes sir.
Q Was she ever divorced from her husband? A She said her husband was dead.
Q Before you married her? A Yes sir.

Mr. W. W. Hastings, Cherokee Representative:
Q Have you ever found out anything to the contrary? A No sir.

Com'r. T. B. Needles: The name of William Drew appears upon the authenticated roll of 1880, as well as the census roll of 1896, as a Cherokee citizen by blood. He presents a certificate, certifying that he was married to one, Ellen Gallion, in the year 1896: He avers that he has one child, Zada Drew, born brfore his marriage to the said Ellen Gallion, and that since his marriage he had born in wedlock one child, Clara Drew, and he presents satisfactory proof of her birth. He applies for the enrollment of himself and two children only: They being duly identified, and having made satisfactory proof of residence, the said William Drew and child, Clara Drew will be duly listed for enrollment as Cherokee citizens by blood.

By reason of the testimony, the name of his child, Zada Drew, will be placed on a doubtful card, final judgment being suspended.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 4th day of December, 1900.

COMMISSIONER.

2902 B

DEPART[illegible]

CO[illegible] TO THE FIVE CIVILIZED TRIBES

FILED
DEC 6 1900

[illegible]
ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date Dec 6 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. TAHLEQUAH.	Year 1896	Page 157	No. 259	Age 5	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	

2 on Wife mules

CERTIFICATE OF RECORD.

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

I, JAMES A. WINSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the annexed instrument was filed for record in my office the 11 day of [illegible] 18[illegible] at [illegible] M. and duly recorded in Book [illegible] Marriage Record, Page [illegible]

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this [illegible] day of [illegible] A. D. 18[illegible]

[illegible] Clerk

By [illegible] Deputy.

MARRIAGE LICENSE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

FILED
JUN 11 1896

No. 56

To Any Person Authorized by Law ~~to Solemnize Marriage~~ Jas A. Winston Greeting:

YOU ARE HEREBY COMMANDED to Solemnize the Rite and publish the Banns of Matrimony between Mr. William Drew *of* Tahlequah *in the* Indian Territory, *aged* 43 *years, and* Mrs Ellen Gallion, *of* Tahlequah *in the* Indian Territory, *aged* 27 *years, according to law, and do you officially sign and return this License to the parties therein named.*

WITNESS my hand and official seal at Tahlequah, this 26th *day of* May *A. D. 1896*

James A. Winston
Clerk of the U. S. Court.

By H. W. C. Thurston *Deputy.*

CERTIFICATE OF MARRIAGE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, Jeff Roberson, *judge of* Tahlequah Dist. C. N.

DO HEREBY CERTIFY, that on the 27th *day of* May *A. D. 189*6 *I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.*

WITNESS my hand this 27th *day of* May *A. D. 189*6.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book ____ *Page* ____

Jeff Roberson
Judge Dist. Court C. N.
Tahlequah Dist.

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued, within thirty days from the date thereof, or the party to whom the License was issued will be liable to the penalty of One Hundred Dollars ($100.00).

married Mrs. William Drew. and no proof has been made of it.

the divorce or legal separation from her first husband.

In order to complete the satisfactory proof

and Zadel, it will be necessary that affidavit of the two children

made to the Commission of the first husband, and his first wife and separation and divorce

between William Drew and his first wife and separation and divorce to

and per first husband, and William Drew must be notified to

appear before the Commission and file satisfactory proof as

required herein.

[illegible] NOV [illegible]

[illegible] COMMISSION TO [illegible]

D.902

D

Subscribed and sworn to before me this Nov. 1st, 1901.

SUPPLEMENTAL: File with Cherokee D-902.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah,I.T.,November 12,1901.

In the matter of the application of William Drew for the enrollment of his child Clra, straight Cherokee card No.6191, and his child Zada, doubtful card No.902.

APPEARANCES:
W.W.Hastings and J.L.Baugh, attorneys for Cherokee Nation.

ELLEN DREW, being sworn and examined by Commissioner Needles testified as follows:

Q What is your name?A Ellen Drew.
Q Are you married? A I haven't been married since he left me.
Q Who left you? A Bill Drew.
Q That's William Drew? A Yes sir.
Q Was he your husband? A Yes sir.
Q Is he the father of Zada and Clara Drew? A Yes sir.
Q Were you ever married before your marriage with William Drew?
A Yes sir.
Q Who to? A Ellis Willis.
Q Where? A Way down close to Van Buren.
Q Close to Van Buren in the State of Arkansas? A Yes sir.
Q Was your husband living when you married William Drew? A Yessir.
Q Had your ~~husband~~ been divorced from him? A Yes sir, he got a divorce himself; I didn't.
Q What court?A In Arkansas.
Q What county in Arkansas, do you recollect? A No sir, I don't recollect.
Q Was it near Van Buren? A Well I can't tell whether it was or not.
Q He got a divorce from you you say? A Yes sir.
Q Have you never married before? A No sir, never was.
Q Never was married only to this man you speak of, and William Drew? A Yes sir.
Q You are now separated from William? A Yes sir.
Q Any divorce from him? A No sir.
Q These 2 children, Zada and Clara, are they in your custody now?
A Yes sir.
Q Living with you? A Yes sir.
Q You are raising them? A Yes sir.
Their father, William Drew, pays no attention to them? A No sir, none at all; wont stay with them and help me to raise them.

BY MR. HASTINGS:

Q Who married you to Will Drew? A Jeff Robison.
Q Preacher?A Well I can't tell you whether he was a preacher or not, all I know it was Mr. Jeff. Robison.
Q Where did he live? A Here in Tahlequah.
Q When did he marry you? A He married us about 4 years ago.
Q Will Drew had been married before? A That's what he says, I don't know.
Q You know what his former wife was named? A No sir.
Q Did you ever see her? A No sir, I never did.
Q Do you know whether he had any children by her or not? A No sir, I don't know that.
Q You know whether she is now? A No sir, I don't know where she is at.
Q You know whether she is living or not? A No sir, I don't know whether she is or not.
Q Will ever tell you she was living? A He did long time ago, about 2 years ago he said she was living then, but I don't know whether she is now or not, I can't tell.

Q Did you have any children by your first marriage? A Yes sir.
Q What is the child next older than Zada? A Welda.
Q How old is Welda? A She is 13 years old. She is a white child.
Q When were you married to your first husband? A 14 years ago.
Q When did you separate from him? A We separated when the child was nine months old.
Q Did you have the one child by him? A Yes sir.
Q That's all? A Yes sir.
Q Did you ever have more than the three children? A No sir.

Commissioner Needles: From the testimony just taken the fact was developed that William Drew was married before his marriage to Ellen and no proof of divorce or legal separation has been made; it is further developed that said Ellen Drew, the mother of Clara and Zada, was married before she married said William Drew, and no proof has been made as to the divorce or legal separation from her first husband. In order to complete the enrollment of the two children Clara and Zada, it will be necessary that satisfactory proof be made to the Commission of the legal separation and divorce between William Drew and his first wife and between Ellen Drew and her first husband, and William Drew must be notified to appear before the Commission and file satisfactory proof as required herein.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this November 14, 1901.

J C Needles
Commissioner.
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 28 1902

I, Wm. Hutchinson, do hereby certify that the foregoing is a correct record of the proceedings in the above case, and that the foregoing is a true and complete transcript of the stenographic notes taken by me in said case.

R.

C. D-902.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 12, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of William Drew for the enrollmentof his daughter Zada Drew as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 20, 1902, that his application for the enrollment of his daughter Zada Drew as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 12th day of March, 1902, and that on said date he might appear before the Commission either in person or by attorney, when an opportunity would be given him to introduce any further testimony affecting the application. Receipt has been acknowledged of the Commission's letter, and the applicant having, this date, to-wit: the 12th day of March, 1902, been called, and failing to respond, it is deemed that his case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, James A. Winston, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 11th day of June 1896, at ..... M., and duly recorded in Book E, Marriage Record, Page 127.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 12 day of June, A. D. 1896.

Jas. A. Winston Clerk.

By ..... Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., May 28, 1902.

I, the undersigned, stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Zada Drew as citizen of the Cherokee Nation.

W S Kaufman [redacted]

(17)

MARRIAGE LICENSE.

Cherokee -n- 902

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

No. 56.

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. William Drew, of Tahlequah, in the Indian Territory, aged 43 years, and Mrs Ellen Gallion, of Tahlequah, in the Indian Territory, aged 27 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 26th day of May A. D. 1896.

James A. Winston
Clerk of the U. S. Court.

By H. W. C. Shelton Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, Jeff Roberson, Judge of Tahlequah Dist., C.N. ~~Minister of the Gospel~~, Do Hereby Certify, that on the 27th day of May, A. D. 1896, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 27th day of May A. D. 1896.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book , Page .

Jeff Roberson Judge
Dist. Court of Tahlequah Dist C.N.
~~A Minister of the Gospel~~

Cherokee-D- 902

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Zada Drew as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 6, 1900, William Drew appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment, among others, of Zada Drew as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on November 12, 1901, and at Muskogee, Indian Territory, on March 12, 1902. The other parties to the application are differently classified, and are not embraced in this decision.

The evidence shows that the said Zada Drew is the minor child of William Drew, a citizen by blood of the Cherokee Nation, and Ellen Drew, a white woman; that the said William Drew and Ellen Drew were married on May 27, 1896, and that the said Zada Drew was born to them prior to their marriage.

The said Zada Drew is identified on the 1896 Census Roll of the Cherokee Nation.

The evidence further shows that the said William Drew and Ellen Drew had both been previously married, and it is not shown that they had obtained a divorce.

Section 692 of the Compiled Laws of the Cherokee Nation provides:

> "All marriages which are herein prohibited on account of consanguinity between the parties, or on account of either of them having a former husband or wife then living, shall be absolutely void in this Nation, without any judgment of divorce or other legal proceeding; provided, that the issue from such unlawful marriage shall nevertheless be legitimate; provided, also, that when a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, or proven to be his, shall thereby be legitimate."

The said Zada Drew was residing with her parents in the Cherokee Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Zada Drew should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898(30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

MUSKOGEE, INDIAN TERRITORY,
SEP 20 1902

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 15 1900

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 20, 1902.

Mr. William Drew,

Fort Gibson, Indian Territory,

Sir:-

You are hereby notified that the application of Zada Drew

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 12 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commision with a certified copy of decree of divorce of [redacted] from your first wife; also certified copy of decree of divorce of Ellen Drew from her first husband required.

Yours truly,

Cherokee D-902.
Register.

Acting Chairman.

Commissioner in Charge.

COPY

Cherokee D 908.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of William Drew for the enrollment of his minor child, Zada Drew, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 29.

Copy.

Cherokee D 902.

Muskogee, Indian Territory, October 30, 1902.

William Drew,

Fort Gibson, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of Zada Drew as a citizen by blood of the Cherokee Nation.

Respectfully,

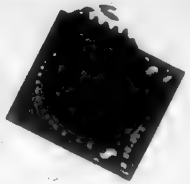
Tams Bixby.
Acting Chairman.

Register.

Enclosure H. No. 68.


REGISTERED.
NOV
11
1912
MUSKOGEE, IND. TER.

165



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, $300.



3[illegible]

William Drew,

Fort Gibson, Indian Territory.

Cher 9798

Callie Ridge

Transferred from D921

Cher 9798

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 10, 1900.

In the matter of the application of Callie Ridge for the enrollment of herself and children as Cherokee citizens; she being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Callie Ridge.
Q How old are you? A I am 37 years old.
Q What is your postoffice? A Rose.
Q What district do you live in? A Saline district.
Q Do you want to enroll yourself and family? A Yes sir.
Q Have you a husband? A No sir.
Q How many children? A Five.
Q Are you a Cherokee by blood? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? A Yes sir.
Q Give me the name of your father. A Mose Parris.
Q Is he dead? A He's dead.
Q Give me the name of your mother. A Nancy Parris.
Q Is she dead? A Yes sir.
Q Give me the names of your children? A Fannie.
Q How old is that child? A 14 years old.
Q Next child? A Joseph.
Q How old is he? A He's 12.
Q Next child? A Jesse.
Q How old is he? A He's 10.
Q Next child? A Nannie.
Q What is her age? A 8.
Q Next child? A Myrtle.
Q How old is that child? A She's two years old.
Q These children are all living are they? A Yessir.
Q Give me the name of the father of these children. A David Ridge.
Q He's dead is he? A Yes sir.
Q Was he a Cherkee by blood? A Yes sir, full blood.
Q How long has he been dead? A Three years.
Q How old was he when he died? A He was 34.
Q Give me his father's name. A Joe Ridge.
Q Give me his mother's name? A Nellie.
Q Is Joe Ridge dead? A Yes sir.
Q Is Nellie Ridge dead? A Yes sir.
Q Have you a certificate of your marriage to your husband? A No sir.
Q Was you ever married except to him? A No sir.
Q Was he ever married except to you? A No sir.

Witnes, Joseph R. Sequichie, sworn and testified:
Q Give me your name? A Joseph R. Sequichie.
Q How old are you? A 29 years old.
Q You are one of the employes here of the Dawes Commission? A Yes sir.
Q How long have you lived in the Cherokee Nation? A 29 years.
Q Do you know this lady here, Mrs. Ridge? A Yes sir.
Q What was her husband's name? A David.
Q What was her name before she married? A Parris.
Q Did you ever know her family? A No sir: I knew of them is about all.
Q Do you know that he married a Miss Parris? A I know that he lived with her during his life time.
Q Do you know whether she is any kin to Deceased Nancy Parris? A No sir.

Applicant recalled-
Q When did you marry your husband? A We were married in '[illegible].
Q Have you anyone here that knew you before you were married? A John Smith I think knew me.

Witness, John Smith, being sworn testified as follows:
Q Give me your full name. A John Smith.
Q How old are you? A In 29 or 30 years old.
Q What is your postoffice? A Tahlequah.
Q How long have you lived in the Cherokee Nation? A Born and raised here.
Q You know this lady here Mrs. Ridge? A Yes sir.
Q What was her name before she was a Ridge? A Parris.
Q Is she a daughter of Mose and Nancy Parris? A I don't know. I know her name was Parris.
Q Did you know her as Callie Parris? A Yes sir, we used to go to school together.

Applicant recalled-
Q What district did you live in before you were married? A In Tahlequah.
Q Who were you living with in 1880? A With my grandmother, Matilda Parris. I was in the Orphan Asylum in 1880 going to school.
Q Have you any brother or sisters on the roll of 1880? A Yes sir, I have a full sister.
Q What is her name? A Emeline Parris; she generally goes by the name of Nunna.
Q Was she living with your grandmother? ANo sir, she was married in 1880.
Q What was her name after her marriage? A Parris; she never changed her name.
Q What is the name of her husband? A Johnson Parris.
Q Is he a white man or Cherokee? A Cherokee.
Q Did Johnson Parris live in Saline district in 1880? A No sir, he lived in Tahlequah.
Q Your name would appear on the roll of the Orphan Asylum? A Yes sir, I think it would. I was going to school there at that time.
1896 roll; page 1016, #1061, Callie Ridge, Saline district
1896 roll; page 1016, #1060, Dave Ridge, Saline district
1896 roll; page 1016, #1062, Fannie Ridge, Saline district.
1896 roll; page 1016, #1063, Joe Ridge, Saline district
1896 roll; page 1016, #1064, Jess Ridge, Saline district
1896 roll; page 1016, #1065, Nannie Ridge " "
Q Your father and mother died before the roll of 1880 was made? A Yes sir.
Q It is necessary for you to be identified in some more definite way;of course, you ought to be on the roll of 1880? A I don't know how it can be misplaced.
Q You should try and identify your sister. If you can't identify your sister, you may be able to get a certificate showing that you were at the Cherokee Orphan Asylum, a copy of the records, showing that you were at that Asylum? A Yes, I can get it.
Commissioner- And we will take your application under advisement until we can get additional testimony of the kind I indicated.

Commissioner Breckinridge-
The applicant applies for the enrollment of herself and five children. She is identified on the roll of 1896 as a native Cherokee. She states that she has lived in the Cherokee Nation all her life. Her marriage is established by her own and other satisfactory personal testimony. Her father and mother are said to have died before the roll of 1880 was made. The applicant states that she has a full sister on that roll, but neither she or her sister can be identified at this time. She may be able to supply the Commission with a certificate of her having been enrolled at the Cherokee Orphan Asylum. To await further information identifying the applicant as a native Cherokee, she will now be listed for enrollment as a Cherokee by blood, but on a doubtful card.

Of the five children named in the testimony, the first four are identified with their mother on the roll of 1896; they are living, and will be listed for enrollment as Cherokees by blood on a doubtful card, to await the evidence desired in the case of their mother. When she files a certificate of birth of the youngest child, Myrtle, this child also will be listed for enrollment as a Cherokee by blood. The applicant states that herdeceased husband, David Ridge, was a full blood Cherokee; he is identified on the rolls of 1880 and 1896, and she statesshe lived in the Cherokee Nation all his life.
1880 roll: page 859, #885, Dave Ridge, Saline district.
Q Did he live in the Cherokee Nation all his life? A Yes sir.
Q Were you ever married except to him? A No sir.
Q Was he ever married except to you? A No sir.

Com- If you can't identify yourself as a Cherokee by blood, you can identify yourself as a Cherokee by intermarriage? Q I can identify myself as a Cherkee by blood.

E.G.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E G Rothenberger

Subscribed and sworn to before me this 10th day of December, 1900.

Commissioner.

292

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 10 1900

CHAIRMAN.

SALINE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 10 1900 1900.

Name Rose Ind Fam

District Year Page No. 1

Citizen by blood Mother's citizenship Doubtful

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Callie Ridge

District SALINE. Year 1896 Page 1016 No. 1061

Citizen by blood yes Mother's citizenship

Intermarried citizen no

Married under what law Date of marriage Rose Dania Nancy

License Certificate

Names of Children:

2 Jannie Ridge	Dist. SALINE.	Year 1896	Page 1016	No. 1062	Age 14
3 Joseph "	Dist. SALINE.	Year 1896	Page 1016	No. 1063	Age 12
4 Jesse "	Dist. SALINE.	Year 1896	Page 1016	No. 1064	Age 10
5 Jannie "	Dist. SALINE.	Year 1896	Page 1016	No. 1065	Age 8
6 Myrtle "	Dist.	Year	Page	No.	Age 2
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

3 on 1896 roll as Joe Ridge
4 " " " Jess "

Satisfactory evidence of the citizenship of Callie Ridge and why she is not on the 1880 roll to be supplied.
6 Dist. affidavit / supplied & filed

[illegible]

[illegible]

[illegible]

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 10, 1900.

In the matter of the application of Callie Ridge for enrollment.

Supplementary Testimony.

Witness, Robert B. Ross, being sworn by Commissioner C.R.Breckinridge, testified as follows:

Q Give me your full name? A Robert B. Ross.
Q How old are you? A 55 years old.
Q What is your postoffice? A Park Hill.
Q How long have you lived in the Cherokee Nation? AAll my life.
Q Do you know this lady who applied a while ago, Mrs. Callie Ridge? A Yes sir.
Q What was her maiden name? A Parris.
Q Did you know her in her youth? A Yes sir.
Q You were at one time Superintendent of the Cherokee Seminary? A Yes sir, male seminary.
Q Did she attend the female Seminary? A Yes sir.
Q You knew her there as a student there at the time? A Yes sir.
Q Was that before 1880? A Yes sir, '75.
Q Are any persons admitted to that seminary except those of Cherokee blood and citizenship? A No sir.
Q About when did she leave that seminary, as far as you know? A Early in 1880 as well as I can recollect.
Q And then where did she go? A To Orphan Asylum; she became an orphan about that time.
Q And was transferred to the Orphan Asylum? A Yes sir.
Q They can't stay at the Seminary unless they pay? A No sir. There are two classes; some were boarded and clothed free, and others had to be paid for.
Q The more advanced students were paid students? A Yes sir.
Q And she was then transferred to the Orphan Asylum? A Yes sir.
Q How do you account for her not being on the roll of 1880? A I don't know.
Q She wasn't either definitelysettled in one place or the other at that time? A She staid at my house, and part of the time at her grand-mother's at that time.
Q You know she is of Cherokee origin? A Yes sir, she's a Cherokee.

Commissioner Breckinridge-
This will be filed in the case of Mrs. Callie Ridge, taken this day, and it is considered to establish in a satisfactory manner her Cherokee origin and citizenship.

E.C.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 11th day of December, 1900.

Commissioner.

10

20

IN RE

Application for Enrollment of

INFANT CHILD

Myrtle Ridge

as a citizen of the

Nation.

Approved. DEC 10 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 10 1900

ACTING CHAIRMAN

D921

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Myrtle Ridge (Here insert name of child), born on the 27th day of February, 1898.

Name of Father: David Ridge (now dead), a citizen of the Cherokee Nation.

Name of Mother: Callie Ridge, a citizen of the Cherokee Nation.

Post-office, Rose, Ind. Terry.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Northern District. }

I, Callie Ridge, on oath state that I am 37 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of David Ridge (now dead), who is a citizen, by Blood, of the Cherokee Nation; that a female (male or female) child was born to me on the 27th day of February 1898.; that said child has been named Myrtle Ridge, and is now living.

Callie Ridge

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 10th *day of* December 1900.

W. T. Rasmus.

NOTARY PUBLIC.

COMMISSION EXPIRES FEBY. 1st 1901. (2nd term)

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Northern District. }

I, Hannah Shannon a Midwife, on oath state that I attended on Mrs. Callie Ridge, wife of David Ridge, on the 27th day of February, 1898; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Myrtle Ridge

her

Hannah X Shannon

mark

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 10th *day of* December 1900

W. T. Rasmus

NOTARY PUBLIC.

COMMISSION EXPIRES

(D 921)

Commission: The applicant and representative of the Cherokee Nation present and will be reported to the Commission for final decision when completed and will be reported to the Commission for citation based upon the evidence now of record.

---oooo---

I, T. O. Bowen, do hereby certify that I am the duly qualified stenographer to the Commission and that the foregoing is a true and correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of my stenographic notes thereof.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 28 1902

ACTING CHAIRMAN

Supl.-C.D.#921.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 21, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of CALLIE RIDGE, ET AL., as citizens of the Cherokee Nation, introduced on part of applicants:

The applicant in this case was notified by registered letter February 20, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on March 12, 1902. Receipt was acknowledged of Commission's letter, and on said date the case was continued by agreement to March 21, 1902. The applicant this day, to-wit: the 21st day of March, 1902, appears in person. Mr. W. W. Hastings, Cherokee Representative, present.

NOAH PARRIS, being duly sworn, testified as follows on part of applicants:
COMMISSION:

Q What is your name? A Noah Parris.
Q How old are you, Mr. parris? A About 54 years old.
Q What is your post office address? A Tahlequah.
Q Are you acquainted with the applicant in this case, Callie Nagura Ridge? A Yes, sir; she is my niece.
Q You have known her then all her life? A Yes, sir.
Q What is the name of her mother and father? A Father was named Mose Parris, my brother; mother named Nancy, she was a Thornton.
Q Were her parents both citizens of the Cherokee Nation?
A Yes, sir.
Q Were they always recognized as such prior to their death?
A Yes, sir.
Q Where was this applicant born? A She was born in the Indian Territory and never was out, I don't reckon.
Q Has she always lived in the Cherokee Nation? A Yes, sir.
Q Do you know why her name does not appear on the roll of 1880?
A I went there to see Mr. Robert Ross and she was at the Orphan Asylum at that time and Mrs. Ross says she was at her house, she was going to the Asylum and Mr. Ross' wife is her aunt and she would be sometimes at Mr. Ross's and sometimes at mother's while she was going to the Asylum and that was about the time that 1880 roll was made, I guess she was at the orphan Asylum.
Q Is she a niece of Mr. Ross' wife? A Yes, sir.
Q Mr. Ross' wife as at present recognized as a citizen of the Cherokee Nation? A Yes, sir.
Q You yourself are recognized as a citizen? A Yes, sir.
Q Have you ever heard the rights of Mrs. Ridge disputed?
A No, sir, I never did until I seen her on the doubtful roll.

TOM BEAVERS, being duly sworn, testified as follows on part of applicant:
COMMISSION:

Q What is your name? A Tom Beavers.
Q How old are you, Mr. Beaver? A 49.
Q What is your post office address? A Melvin.
Q Are you a recognized citizen of the Cherokee Nation?
Q Yes, sir.

Q Are you acquainted with the applicant in this case, Callie Ridge?
A Yes, sir.
Q Are you related to her? A No, sir.
Q How long have you known her? A I have known her since right after the war.
Q Has she always made her home here in the Cherokee Nation?
A Yes, sir.
Q Have you ever heard her right to enrollment in the Cherokee Nation disputed prior to this time? A No, sir.
Q Has she always been recognized as a citizen of the Cherokee Nation? A Yes, sir, so far as I know.
Q Did you know her husband, Dave Ridge? A Yes, sir.
Q Was he a recognized citizen of the Cherokee Nation? A Yes, sir.

Commission: The applicant and representative of the Cherokee Nation present submit the case. The same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oOo000oOo---

I, J. C. Rossen, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J C Rossen

Cherokee D 921.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Callie Ridge and her minor children, Fannie, Joseph, Jesse, Nannie and Myrtle Ridge, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 10, 1900, Callie Ridge appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment of herself and her five minor children, Fannie, Joseph, Jesse, Nannie and Myrtle Ridge, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory on March 21, 1902.

The evidence shows that the said Callie Ridge is a Cherokee by blood. She is not identified on the 1880 authenticated tribal roll of the Cherokee Nation, but an examination of the 1894 pay roll of the Cherokee Nation identifies her on that roll, and she is also identified on the 1896 census roll of the Cherokee Nation as a Native Cherokee. The evidence shows that Fannie, Joseph, Jesse and Nannie Ridge are the minor children of the said Callie Ridge. An examination of the 1894 pay roll of the Cherokee Nation discloses their names on that roll, and they are also identified on the 1896 census roll of the Cherokee Nation as Native Cherokees.

The said Myrtle Ridge is a minor child of the said Callie Ridge. She is too young to be upon any tribal roll of the Cherokee Nation, but she is identified by birth affidavit on file with this Commission.

The evidence further shows that the said Callie Ridge has resided in the Cherokee Nation all of her life; that she was a resident of said Nation at the date of the application herein, and it is considered that the residence of the children, for whom application is herein made, is that of their mother.

It is, therefore, the opinion of this Commission that Callie Ridge, Fannie Ridge, Joseph Ridge, Jesse Ridge, Nannie Ridge and Myrtle Ridge should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

DEPARTMENT OF THE INTERIOR

FILED
FEB 25 1931

(This Margin Reserved for Binding)

U. S. No. 1.
WRITE PLAINLY WITH UNFADING INK—THIS IS A PERMANENT RECORD.

N. B.—In case of more than one child at a birth a SEPARATE CERTIFICATE must be made for each and the number of each, in order of birth, stated. A stillborn child must be registered as a birth and also as a death.

1. PLACE OF BIRTH

County Mayes

Township or Village or City Pryor No. Street SUPT. FIVE WELL DISTRICT

(If in a hospital or other institution, the name of the same to be given, instead of the street and house number)

Registration Dist. No.

Primary Dist. No.

STANDARD CERTIFICATE OF BIRTH

Oklahoma State Board of Health

BUREAU OF VITAL STATISTICS

OKLAHOMA CITY, OKLA.

Registered No. 1991

2. FULL NAME OF CHILD Rosemary Ridge

3. Sex of child	4. Twins, triplets or others. (To be answered only in event of plural births)	5. No. in order of birth	6. Legitimate?	7. Date of birth (month) (day) (yr.)
Female			yes	1-19-1917

FATHER

8. Full Name Jesse Ridge

9. Residence Pryor Okla

10. Color or race Indian

11. Age at last birthday 30 years.

12. Birthplace, at least state or foreign country, if known Okla.

13. Occupation

(a) Trade, profession or particular kind of work. Cleaning & Pressing

(b) General nature of industry, business or other establishment in which employed (or employer)

MOTHER

14. Full maiden name Edna Rooney

15. Residence Pryor Okla

16. Color or race White

17. Age at last birthday 17 years.

18. Birthplace, at least state or foreign country, if known Mo.

19. Occupation

(a) Trade, profession or particular kind of work. Housework

(b) General nature of industry, business or other establishment in which employed (or employer)

20. Number of children born to this mother, including present birth 1

21. Number of children of this mother now living 1

22. CERTIFICATE OF ATTENDING PHYSICIAN OR MIDWIFE

I hereby certify that I attended the birth of this child, who was born alive (1) at 7 P. M. on the date above stated.

(Born alive or stillborn)

(1) When there was no attending physician or midwife, then the father, householder, etc., should make this return. A stillborn child is one that neither breathes nor shows other evidence of life after birth.

Give name added from supplmental report.

(Signature) J. L. Williams

J. L. Williams, Physician

(Physician or Midwife)

Address

19

Registrar.

Filed 19

Registrar.

23. Did you use a one or two per cent silver nitrate solution in this infant's eye immediately after its birth?

Yes Yes No

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 25 1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 20, 1902.

Mrs. Callie Ridge,

Rose, Indian Territory.

Madam:-

You are hereby notified that the application of yourself and five minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 12 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-921
Register.

[redacted]
Commissioner in Charge.

Cherokee D-824

Muskogee, Indian Territory, March 3, 1902.

Col. Robert B. Ross,

Tahlequah, Indian Territory,

Dear Sir:-

You are hereby advised that the application of Sallie Ridge and family for enrollment as citizens of the Cherokee Nation set for final hearing on March 12, 1902, has been continued until March 21, 1902.

Yours truly,

Commissioner in Charge.

921

Cherokee [illegible]

Muskogee, Indian Territory, March 6, 1902.

Mrs. Callie Ridge,

Rose, Indian Territory,

Dear Madam:

You are hereby advised that on request of Col. Robert L. Ross the application of yourself and family as citizens of the Cherokee Nation, heretofore set for final hearing on March 12, 1902, has been continued until March 21, 1902.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, March 18, 1902

Col. R. B. Ross,

Tahlequah, Indian Territory.

Dear Sir:-

Relative to your request to have the final hearing of the application for the enrollment of Callie Ridge, et al., as citizens of the Cherokee Nation continued to some date in April, you are advised that it is impossible to do this, as to set the case for any time in April would conflict with dates reserved for the hearing of doubtful Cherokee Freedmen applications.

The date to which you have heretofore been advised that this case has been continued, March 21, 1902, is the latest possible date on which it can be set.

Yours truly,

Commissioner in Charge.

Cherokee D-821

COPY.

Cherokee B 921.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Callie Ridge for the enrollment of herself and her five minor children, Fannie, Joseph, Jesse, Fannie and Myrtle Ridge, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 128.

COPY. D - 921.

Muskogee, Indian Territory, October 24, 1902.

Callie Ridge,

Rose, Indian Territory.

Dear Madam:

There is here with enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself, and your five minor children, Fannie, Joseph, Jesse, Emmie and Myrtle Ridge, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. D. Breckinridge

Acting Chairman.

Enclosure C. No. 39.

Register.

A. J. McMillan
acting Superintendent
Muskogee, Okla.

S-1142

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS
FIELD SERVICE

RECEIVED
JUL 1931
SUPT. FIVE CIV. TRIBES.

Supt for the
Five Civilized tribes
Muskogee Okla.

Dear Sir Enclosed please find
Birth Cetificate of Pommey Ridge
which you will please put on record.
She is a Cherokee and a Daughter of
Jesse Ridge who is Cherokee Census
Card is # 9798. showing enrollment
a 3/4 Cherokee Indian.

Thanking you in advance for
this small favor. Yours truly
Jesse Ridge
Lawton
Okla

7/11/31

China Indian
Agency

I. L. & M.
LMB:FEC 2-27-31
Birth Certificate
of Rosemary Ridge,

Jesse Ridge, Cherokee #22021

February 27, 1931.

Mr. Jesse Ridge,
c/o Lima Indian Agency,
Sacatan, Arizona.

Dear Sir:

I have received your letter with which you enclose a birth certificate for Rosemary Ridge, who appears to be the child of yourself and Edna Rooney, now Ridge, and born January 13, 1917.

Practically all the lands of the Cherokee Nation have been allotted and there is no money due or to become due, so far as I know, to the citizens of the Cherokee Nation, and, therefore, this birth certificate is not required. It will, however, be filed with your enrollment records and will be available if it should be needed at any time.

Respectfully,

Superintendent.

Cher 9799

Alice Henson

Trans from D924

Cher 9799

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., December 10, 1900.

In the matter of the application of Nelson Lisanders Henson for the enrollment of his wife, ALICE, as a Cherokee citizen; being sworn by Commissioner Breckinridge and examined by the Commission he testified as follows:

Q What is your name? A Nelson Lisanders Henson.
Q How old are you? A 28.
Q What is your post-office address? A Fort Gibson.
Q Are you a Cherokee by blood? A No sir, by adoption.
Q For whom do you make application? A For my wife, Alice.
Q Do you apply for yourself? A No sir.
Q No children? A No sir.
Q What is the name of your wife. A Alice.
Q How old is she? A 21.
Q She is living at the present time? A Yes sir.
Q Is she a Cherokee by blood? A Yes sir.
Q What degree of Cherokee blood do you claim for your wife?
A Her father was a 16th I believe.
Q What was the name of her father. A Dudley Johnson.
Q Is he living? A No sir, dead.
Q Was he a Cherokee? A Yes sir.
Q What was the name of your wife's mother? A Emeline.
Q Is she living? A Yes sir.
Q Is she a Cherokee by blood? A No sir, white woman.
Q In what district was your wife enrolled in 1880? A In Illinois District.
Q How long has she lived in the Cherokee Nation? A All her life.
Q Has she been outside of the Nation for any purpose within the past three years? A No sir.
Q When were you married to her? A In 1896.
Q Have you any evidence of your marriage. A No sir.
Q Was she ever married before she married you? A No sir.
Q You have lived together continuously since that time have you?
A Yes sir.
Applicant: My wife is registered on the 1880 roll as Alice Patrick
Q Why does your wife appear upon the 1880 roll as Alice Patrick?
A Her step-father was named Patrick.
Q Was her father dead before the roll of 1880 was made? A I don't know sir whether he was or not.
1880 roll page 565 #1387 Alice Patrick Illinois Dist native Cherokee, enrolled with Wm. Patrick and Emeline Patrick.
Q Was your wife enrolled in 1896 under your name or under her maiden name? A No sir, she was ~~examined~~ not enrolled on that roll. I come the last day of the enrollment and my marriage certificate wasn't recorded and I went back, and it was too late for me to come back.
Q Wouldn't they register your wife in 1896? A She never came they would have registered her in 1896 if she had come, but I came.
1896 roll page 185 #1515 as Alice Henson Tahlequah Dist.
Q Was your wife's mother a white woman? A Yes sir.
Q Was she ever married to Dudley Johnson? A I don't know whether she was or not.
Commission: Opposite the name of Alice Henson on the roll of 1896 the following note appears:

"Illegitimate daughter of Dudley Johnson; her mother white woman, who was never married to Dudley Johnson."

Examined by Cherokee Rep've W.W. Hastings.

Q Where is your wife? A She is up here in town.
By Commission:
Q Is your wife's step-father, William Patrick, living? A No sir, he is dead.
Q Is your wife's mother living? A Yes sir.
Q Is she living here in town? A She lives at Collinsville.
Q What is her present name? A She married a man named Neal; he is a white man; her second man was named Pettit.

By W.W.Hastings.
Q You know whether your wife's mother was married to Dudley Johnson? A No sir.
Q You know when Dudley Johnson died? A No sir.

CICERO JOHNSON, being sworn and examined, testified as follows:

QBy the Commission:
Q What is your name? A Cicero Johnson.
Q How old are you? A About 59.
What is your post-office address? A Tahlequah.

By W.W.Hastings.
Q Are you a Cherokee by blood? A Yes sir.
Q Do you know Alice Henson? A Yes sir.
Q Did you know her mother? A Yes sir.
Q What was her mother's name? A Emeline Styles.
Q She was a white woman? A She was a whitewoman.
Q What was her first husband's name? A William Patrick.
Q Do you know when she married William Patrick? A I couldn't tell exactly.
Did she have a child prior to her marriage to william Patrick? A Yes sir.
Q Do you know what that child's name is? A It is Alice Henson now.
Q What name did Alice Henson go by before she was married? A Before she was married she went by the name of Alice Johnson.
Q Do you know who her father was? A Yes sir.
Q What was his name? A His name was Dudley Johnson.
Q How do you know? A He was my own brother.
Q Was Dudley Johnson a Cherokee? A Yes sir.
Q Was he recognized as a Cherokee citizen? A Recognized as a Cherokee citizen. On all the rolls.
Q When did he die? A I declare I couldn't tell you; I have forgot.
Q About how long ago, since 1880? A He has been dead about 8 or 9 years I reckon.
Q He is on the 1880 roll then? A Yes sir.
Q Did he ever live with the mother of Alice Henson as his wife? A Kinder like all other Cherokees did.
Q Do you know whether he ever lived with her as his wife or not? A Yes sir, he had her right there at his home.
Q How long did he live with her? A A year or two,- three years I reckon.
Q Continuously? A Yes sir, had her right there at his home.
Q Did he ever recognize this woman as his child prior to his death? A Yes sir, he did.
Q Always recognized her? A Always, sir, and on his dying bed he called for this child; said he wanted to see her.
Q Did this child ever live with Dudley Johnson? A Yes sir.
Q How far did Dudley Johnson live from this woman before he died [illegible] A It was about thirty miles.
Q Where did Dudley Johnson live? A He lived in [illegible] District.
Q Where did Mrs [illegible] Patrick live, A [illegible]

Garfield, Illinois District.
Q And Dudley Johnson recognized this as his child?
A Yes sir, always did.
Q Did she ever visit Dudley Johnson to your knowledge; did this child of Johnson's ever visit Dudley Johnson's after she married Patrick? A Yes sir.
Q Ever live with him any? A Yes sir./Oh yes Dudley Johnson kept the child every once in a while.
Q You know that to your own knowledge? A Yes sir, I know that.
Q How long did he keep her? A He would keep her a month or two at a time.
Q Up to the time of his death? A Yes sir.
Q You say that he called for her on his death-bed? A Yes sir
Q Were you present? A I was present.
Q You heard him? A Yes sir, he told me three days before he died that he wanted me his little girl, he wanted to see her, he was going to die, and he told me, he says: Cicero, you go and bring her; and I started to bring her, and it was raining and got this river up so I couldn't ferry it, and before I got over there and got her up there he was dead.
Q Did you ever take her up there, after he was dead? A Yes sir, this man Pettit carried her up there to see her grandmother and grandfather.
Q Was it Dudley Johnson's father and mother? A Yes sir.
Q Did this child's grandfather and grandmother recognize the child as their grandchild? A Yes sir, they did before they died.
Q Did this child get up there before Dudley Johnson was buried?
A No sir.
Q Did Dudley Johnson have any other children? A No sir none at all; that's all the child he has got. Dr. Bitting was there when the child was born.

NICHOLAS BITTING, being sworn and examined, testified as follows:

Q By Commission:

Q What is your name? A Nicholas Bitting.
Q How old are you? A 55 years old.
Q What is your post-office address? A Tahlequah.

By W.W.Hastings:

Q Did you know Dudley Johnson, brother of Cicero Johnson?
A Yes sir.
Q He was a Cherokee by blood? A Yes sir.
Q So recognized? A Yes sir, so recognized.
Q You know Alice Henson, the wife of Nelson L. Henson? A Yes I know, the one they claim now, I suppose it is the same one.
Q Do you know anything about her birth? A Yes sir, I was at her birth.
Q Was her mother afterwards known as Emeline Patrick, who married William Patrick? A Yes sir, afterwards Emeline Pettit.
Q She is married now again? A Yes sir.
Q You know who was present when this child was born? Was [illegible] Johnson? A I don't remember any one but Dave Johnson [illegible] Cicero; and I think if I am not mistaken possibly [illegible]

[illegible] he stated [illegible]

[illegible] A Yes sir.

Q Do you know whether he was illegally living with this woman, you know whether he ever declared her as his wife? A No, I don't know, - all I knew is that they paid the fee.
Q Who did? A Dudley Johnson.
Q You know they have always recognized them since? A No, I know that Dudley Johnson paid the fee.
Q Do you know whether he claimed it at that time as his child? A No, I do not.
Q Did you hear him say anything about it at all? A No, nothing about it any more than he told me he would see the fee paid, and he paid it. She was living at Isaac Johnson's, the father of Dudley Johnson, and Dudley Johnson was also living there at the time.
Q At the same place? A Yes sir.
Q You know how long she had been living there? A No, she came here, my recollection was, with the family at the time they moved; that's my recollection.
Q And you think she lived up there up until after the birth of this child? A I know she did.
Q You know how long the Johnson's had been there prior to the birth of this child A No sir.
Q You know how long she lived with this family after they came here? A I don't remember, Mr. Hastings, how long it has been.
Q Do you know she lived with this family more than a year prior to the birth of this child? A Yes sir, I am satisfied it was more than a year; my recollection was she came out here with this family and lived with them until after the birth of this child; that's my recollection.

Examined by Cherokee Rep've Joel L.Baugh:

Q Did he tell you, when he agreed to make the payment for the birth of the child for your services, did he tell you that was his child? A No, I don't think he did.
Q He didn't tell you that she was his wife? A No sir, never told me anything about it.

By W.W.Hastings:

Q How far did you live from these people at that time? A Two miles, or two and a half.
Q How long had you been living there? A Two or three years prior to the birth of the child.
Q Was there any dispute in that neighborhood at that time as to who was the father of this child? A I think not.
Q Was it generally recognized that Dudley Johnson was the father of this child. A Yes sir, generally recognized as such. It was never recognized as any other but Dudley's child.

RODDY REESE, being sworn and examined, testified as follows:

Q By Commission:
Q What is your name? A Roddy Reese.
Q How old are you? A 56.
Q What is your post-office? A Maxard.

Examined by Cherokee Rep've Joel L.Baugh:

Q Mr. Reese, are you acquainted with Nelson L. Henson, this man here? A Yes sir.
Q Are you acquainted with his wife, Alice Henson? A I am pretty [illegible]
Q [illegible] long have you known her? A I couldn't say how [illegible] 30 years I reckon.

Q Do you know whether she is a Cherokee or not? A I couldn't say; it has been disputed all the way; first time I ever knew her mother they called her Alice Patrick; her mother was living with Bill Patrick.
Q If you know anything relative to that matter I want you to state it? A And she married William Pettit, and William Pettit brought her to school there, I was one of the directors, and told me she was a white girl, but, he says, I am a citizen and her mother is a citizen and she has got a right to go, and we just let her go on there.
Q Did he tell you her mother was a citizen, A Yes sir, he said she was a citizen; he said she was a white woman.

Examined by .W.W.Hastings:

Q What is your information as to who was the father of this child, who did Pettit say was her father? A I never did hear him say.
Q Did you ever hear Mr. Patrick say? A No sir.
Q Did you ever hear anybody say. A No sir.
Q By what name did she afterwards go? A She went by the name of Alice Johnson; when I first knew her she went by the name of Alice Patrick, and when she moved down there they called her Alice Hohnson.
Q That was before her mother was married the second time?
A Yes sir.
Q Who was reputed to be her father? A I never did hear that.

By Joel L. Baugh:

Q But Mr. Pettit said that she was a white girl. A Yes sir. But he says I am anative here and my wife is a white woman, and this girl is a white woman, but us being citizens and her be ng a citizen-
Q Mr. Pettit was her step-father? A Yes sir.

Commission:

Nelson L. Henson applies for the enrollment of his wife as a citizen by blood of the Cherokee Nation; his wife is identified upon the authenticated roll of 1880 under the name of her step-father, Patrick; she appears on the said roll as a native Cherokee; she is identified upon the census roll of 1896 as a native Cherokee, under the name of her present husband; she has lived in the Cherokee Nation all her life; it appears from the testimony that she is the illegitimate child of Dudley Johnson by his wife Emeline, a white woman, and for the further consideration of the Commission as to this fact, she will be listed for enrollment as a citizen by blood, upon what is known as a doubtful card; when final judgment is rendered in her case the applicant will be notified in writing at his present post-office address.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimny and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this Dec.11,1900.

Commissioner.

2927

OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 10 1900

ACTING CHAIRMAN

Enrollment of Applicants Under Curtis.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 10 1900 1900.

Name Alice L. Henson Fort Gibson I.T.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Alice Henson. Fort Gibson

District Illinois Year 1880 Page 565 No. 1387

Citizen by blood Yes Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....

Double

On 1880 roll as Alice Patrick

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAR 1902

I, W. Hutchinson, do hereby certify that I am stenographer to the Commission to the Five Civilized Tribes, and that I recorded the proceedings in the case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

D-924.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 14, 1900.

In the matter of the application of Alice Henson for enrollment.

Supplementary Testimony.

Witness, Emeline Neel, being sworn by Commissioner C. R. Breckinridge, testified as follows:
Q Give me your full name. A Emeline Neel.
Q How old are you? A I am going on 44 years old.
Q What is your postoffice? A Collinsville.
Q In what district do you live? A Goweesecowee.
Q Do you know Nelson L. Henson? A Yes sir.
Q You know his wife? A Yes sir.
Q Is she any kin to you? A Yes sir, she is my daughter.
Q How long have you lived in the Cherokee Nation? A Ever since I was going on 15 years old.
Q Were you admitted to citizenship then by the Cherokee Commission? A Yes sir, I come here with that girl's Pa.
Q You are a white woman yourself? A Yes sir, I am a white woman.
Q What was your daughter's name twenty years ago? A Alice Johnson.
Q And what was your name twenty years ago? A Johnson.
Q Did your daughter ever marry before she married Henson? A No sir.
Q Was she ever known as Patrick? A No sir; Bill Patrick was her step-father.
Q Her right name was Alice Johnson? A Yes sir.
Q But you were married to Patrick twenty years ago? A Yes sir.
Q Did you have any other children named Alice? A Only this one. She is my oldest child.
Q You didn't have any children by that name by Patrick? A Never had any children by Patrick.
Q And when did she marry Henson? A I think she married him about '96 or '97. I don't recollect.
Q Was she ever married before that? A No sir.
Q And then in 1896 she would be enrolled likely as Patrick or Johnson? (No answer)
Q What was your name in 1896? A Petitt; he was my husband. I was a widow woman then.

Commissioner Breckinridge-
It appears from the testimony Case D-924 in the case of Alice Henson thatshe was identified on the roll of 1880 as Alice Patrick with her mother and step-father, and also identified on the roll of 1896, there as Alice Henson. This appears to be satisfactory identification of this woman, and the evidence will be filed with the original application, D - 924.

E.S.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the supplementary testimony in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. S. Rothenberger.

Subscribed and sworn to before me this 15th day of December, 1900.

Commissioner.

R.

D-924.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 12, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Alice Henson for the enrollment of herself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 20, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 12th day of March, 1902, and that on said date she might appear before the Commission, either in person or by attorney, when an opportunity would be given her to introduce any further testimony affecting her application. Receipt was acknowledged of the Commission's letter, and the applicant having this date, to-wit: the 12th day of March, 1902, been called, and failing to respond, it is deemed that her case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Cherokee-D- 924

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Alice Henson as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 10, 1900 Nelson L. Henson appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment of his wife, Alice Henson, as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on December 14, 1900 and at Muskogee, Indian Territory, on March 12, 1900.

The evidence shows that the said Alice Henson has lived in the Cherokee Nation all her life. She is identified on the 1880 authenticated tribal roll of the Cherokee Nation under the name of Alice Patrick and on the 1896 Census Roll of the Cherokee Nation as Alice Henson.

The evidence further shows that the said Alice Henson was a resident of the Cherokee Nation at the date of the application herein.

It is, therefore the opinion of this Commission that Alice Henson should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28, 1898(30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
[illegible] 1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 20, 1902.

Mr. Nelson Lisanders Henson,

Fort Gibson, Indian Territory.

Sir:-

You are hereby notified that the application of Alice Henson

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 12 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-924
Register.

Yours truly,

[redacted]
Acting Chairman.
Commissioner in Charge.

Cherokee D 924.

COPY.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Nelson L. Henson for the enrollment of his wife, Alice Henson, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 28.

Copy.

Cherokee 2 978.

Muskogee, Indian Territory, October 30, 1902.

Nelson L. Henson,

Fort Gibson, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Alice Henson, as a citizen by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure H. No. 67.

Cher 9800

Tuckie Bowlin

Trans from D 927

Cher 9800

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 10, 1900.

In the matter of the application of Tuckie Bowlin for the enrollment of herself and one child as Cherokee citizens: she being sworn and examined by Commissioner C. R. Breckinridge, testified as follows: Interpreter, J. R. Sequichie.

Q Give me your full name. A Tuckie Bowlin.
Q How old are you? A 22.
Q What is your postoffice? A Welling, I.T.
Q In what district do you live? A Tahlequah.
Q Who is it you want to enroll: yourself and family? A Myself and one child.
Q Have you got a husband? A No sir.
Q Are you a full blood Cherokee? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? A Yes sir.
Q Give me the name of your father. A Martin Bowlin.
Q Is he dead? A He's living.
Q Give me the name of your mother. A Jennie.
Q Is she alive? A No sir, dead.
Q Give me the name of this child? A Willie Harlin.
Q This child is two years old, isn't it? A Yes sir.
Q Is the father of this child a Cherokee or a white man? A He's a Cherokee.
Q Was she ever borne the name of Harlin? A No sir.
Q Were you called Jessie? A Yes sir.
Q Was your mother called Ann? A My mother was named Jennie. His present wife is named Annie.
Q Did your mother die when you were a baby? A I was just a little child.

Witness, Betsy Gass, sworn, testified as follows through Interpreter J. R. Sequichie-
Q What is your name? A Betsy Gass.
Q Are you a full blood Cherokee? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? A Yes.
Q How old are you? A 48.
Q What is your postoffice? A Welling.
Q Is this woman here your granddaughter? A Yes.
Q What is her name? A Tuckie Bowlin.
Q Was she ever called by any other name than Tuckie? A They call her Jennie.
Q How old was this woman when her mother died? A Just a little child.
Q What was her step-mother's name? A Annie.
Q Was her father named Martin Bowlin? A Yes sir.
Q Did he have a child named Dian Bowlin? A Yes sir.
Q Did he have a child named Charles Bowlin? A Yes sir.
Q Did he have a child named Jesse, a boy? A Yes sir.
Q Did he have anymore children? A This child.
Q And that's all? A Yes sir.
Q Was Dian a girl? A Yes sir.
Q He had two boys and two girls? A Yes sir.
Commissioner to applicant- Is that right? A I have three brothers and one sister.
Commissioner to Witness, Betsy Gass-
Q Who is Lucy Bowlin? A That is one of her sisters.
Q Who is Tuckie? A One of her sisters.
Q Who is Annie? A That is his wife.
Q Is Jesse a child of this woman, Annie Bowlin? A Yes sir.
Q She's just a half brother to this woman? A Yes.
[illegible]: page 330, 1904, Jennie Bowlin, Flint district
[illegible]: page 414, June, [illegible] district

Applicant Recalled-
Q Were you ever called Dian? A Yes, that's the way I am enrolled.

2- T.B.

Q Didn't you apply to us once before some place to put you down on this roll? A No sir
Q Were you ever called Bettie Dick? A No sir.
Q How does it happen that you were called Dick; what made people call you Dick? A I don't know. I had a brother by that name.
Q Have you got a brother named Jim Ratt? A Yessir.
Q Is your brother Charles dead? A He's dead.
Q Was Dian Bowlin your full sister? A No sir.
Q Was Charles Bowlin your full brother? A No sir.
Q Was Jesse your full brother? A No sir; just myself was a child of the first wife.
Q Did you have any full brothers? A No sir.

Witness, Betsy Gass, recalled-
Q Was Charles Bowlin a child of Jennie or Annie? A Of Annie.
Q Who was the mother of Dian? A Annie.
Commissioner- Dian is put down as four years old; Charles is put down here as three years old, and Jesse is put down here as one year old, and this woman gives her age as now 22, showing that she was in 1880, say two years of age.

Commissioner Breckinridge-
The applicant applies for the enrollment of herself and one child. She is identified on the rolls of 1894 and 1896 under the name of Jennie Bowlin, which her grandmother has stated in the course of the evidence to be the name by which she is sometime caleed. She states that her mother died before the roll of 1880 was made, and that the Ann Bowlin identified on that roll with her father, Martin Bowlin, was her step-mother. Yet, as shown in the testimony, there are children on the roll of 1880 from one month up to four years of age, who are the children of this Annie Bowlin, an the applicant's age at that time would be say two years. The applicant claims to be a full blood, but she does not look like she was a full blood. It appears that she was refused enrollment in 1880 and apparently is the child of her father by some other woman than the one who is on that roll as his wife. The children in that family, Dian, four years of age, Charles, three; and Jesse, one; are all said by her to be half brothers and sister: While she claims to have brothers and sisters of other names as shown in the testimony. She will now be listed as a Cherokee by blood on a doubtful card; and when she presents a certificate of birth of her child, Willie Harlin, this child will also be listed for enrollment on a doubtful card as a Cherokee by blood.

E.C.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 11th day of December, 1900.

Commissioner.

0127

B

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 10 1900

Disposition of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 10 1900 1900.

Name Welling Ind. Ty

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Lucie Bowlin 96 680 304

District Flint Year 1880 Page 307 No. 125

Citizen by blood 1/2 F.B. Mother's citizenship

Intermarried citizen Parents {Martin Bowlin

Married under what law Date of marriage Jennie dead

License Certificate

Names of Children:

2 Willie Martin Dist. Year Page No. Age 2

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

1 on 1896 roll as Jennie Bowlin

2 Birth affidavit required

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 10, 1900.

In the matter of the application of Tuckie Bowlin.
Interpreted by J.R. Sequichie.
Supplementary Testimony.

Q You had a brother named Dick and one named Ratt? A Yes sir.
Q What is the given name of your brother Dick? A William Dick.
Q Is he alive? A He's dead.
Q How long since he died? A About threeyears.
Q How old was he when he died? A About twenty.
Q Did you have any other brothers besides William Dick by the name of Dick? A No sir.
Q Did you have any sisters by the name of Dick? A No sir.
Q What was the given name of your brother Ratt? A She claims she has no brother named Ratt.
Q Is William Dick your full brother or half brother? A That one and herself were full brother and sister.
Q Was he the only full brother she had? A Yes, that was all.
Q She had no full sister? A No sir.
Q Who is Jennie Speaker? A That's somebody else.

Commissioner- No record can be found of this alleged brother, William Dick, on theroll of 1880 nor the roll of 1896.

Witness, John H. Greece, being sworn by Commissioner C. R. Breckinridge, testified-
Q Give me your name? A John H. Greece.
Q How old are you? A 33 years old.
Q What is your postoffice? A Tahlequah.
Q How long have you lived in the Cherokee Nation? A Raised in the Cherokee Nation, Tahlequah district.
Q You know anything about this woman here, Tuckie Bowlin, or Jennie Bowlin? A I know the girl. She came to my house when she was very small with her aunt, and they staid there until she was a large girl before they left home.
Q You know anything about her mother. A No sir, I don't know her mother.
Q You know who her father was? A No sir, only by other people talking.
Q Did you ever see her mother. A No sir.
Q What did you hear peple say about her mother or father? A Her father I suppose didn't take the woman for a wife.
Q What did they say about the mother? A She staid with her mother until she died.
Q Who was her mother? A I couldn't tell who she was.
Q Who was she understood to be and what? A I don't know that. Her grand-mother is now living with John Ratt.
Q Is that grandmother the mother of this woman's mother or through this woman's father? A Mother.
Q And is now the wife of John Ratt? A Yes sir, the wife of John Ratt.
Q What is the name of this wife of John Ratt? A I don't know her name.
Q How old is John Ratt? A Somewhere about sixty.
Q About how old is this woman that's living with him? A Between fifty and sixty; somewhere along there.
Q How long has she been living with John Ratt;do you know? A I don't know.

E.E.

Q. You know whether she has been his wife for twenty years? A No sir, I don't.
Q. What district is John Katz from? A Saginaw or Flint; I don't remember.
Q. Is his wife called Sallie? A I couldn't say.
Q. Do you know John Katz's family? A I know them when I see them.
Q. You know their names? A No sir, I don't.
Q. How is she called Kat? A Yes sir.
Q. She named Tobacco? A I don't know that one.
Q. What name did this woman always go by? A Tockie is all I know. Some people call her Tockie Pigeon.

E.E.Rothenberger, being duly sworn, states that a stenographer to the Commission to the Five Civilized Tribes, he reported said [illegible] proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. E. Rothenberger

Subscribed and sworn to before me this 11th day of December, 1906

[signature]
Commissioner.

10

20

IN RE

Application for Enrollment of

INFANT CHILD

Julia Blanton

as a citizen of the

Creek Nation.

Approved DEC 10 1900 190

Commissioner.

8

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 10 1900

ACTING CHAIRMAN

Ca 1 1 1

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Willie Harlin, (Here insert name of child.) born on the 13th day of November, 1898.
Name of Father: Elie Harlin, a citizen of the Cherokee Nation.
Name of Mother: Tuckie Bowlin, a citizen of the Cherokee Nation.
Post-office, Welling, Ind. Terry.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Tuckie Bowlin, on oath state that I am 23 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Elie Harlin, who is a citizen, by blood, of the Cherokee Nation; that a (male or female) child was born to me on the 13th day of November, 1898; that said child has been named Willie Harlin, and is now living.

her
Tuckie X Bowlin
mark

WITNESSED TO MARK:
(Must be Two Witnesses.) R. H. McCollum
C. C. Smallwood

Subscribed and sworn to before me this 10th day of December 1900

W. M. Rasmus.
NOTARY PUBLIC.
COMMISSION EXPIRES FEBY. 1st 1901. (2 2 Term)

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Betsy Guess, a midwife, on oath state that I attended on Mrs. Tuckie Bowlin, wife of Elie Harlin on the 13th day of November, 1898; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Willie Harlin.

her
Betsy X Guess
mark

WITNESSED TO MARK:
(Must be Two Witnesses.) R. H. McCollum
C. C. Smallwood

Subscribed and sworn to before me this 10th day of December 1900

W. M. Rasmus
NOTARY PUBLIC.

C.D.92

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 8 1902

R.

C. R-227.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 15, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Tecnie Bevlin for the enrollment of himself and son as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 28, 1902, that his application for the enrollment of himself and child as citizens of the Cherokee nation would be taken up for final consideration by the Commission sitting at Muskogee, I. T., on the 15th day of March, 1902, and that at said date he might appear before the Commission either in person or by attorney, when an opportunity would be given him to introduce any additional testimony affecting his application. The applicant having this day, to-wit, the 15th day of March, 1902, been called, and failing to respond either in person or by attorney, the case is deemed completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, _____, hereby certify that as stenographer to the Commission I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

20 D927

IN RE

Application for Enrollment of

INFANT CHILD

Willie Walker

as a citizen of the

Cherokee Nation.

Approved 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUL 1 1902

ACTING CHAIRMAN

Isle

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation,
of Willie Harlin (Here insert name of child.), born on the 3rd day of November, 1898 ~~190~~
Name of Father: Elic Harlin, a citizen of the Cherokee Nation.
Name of Mother: Luckie Boulin, a citizen of the Cherokee Nation.
Post-Office: Welling, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY,
Northern District. }

I, Luckie Boulin, on oath state that I am 23 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of ~~~~, who is a citizen, by ~~~~, of the ~~~~ Nation, that a male (Male or female.) child was born to me on the 3rd day of November 1898 ~~190~~; that said child has been named Willie Harlin; and is now living.

her
Luckie X Boulin
mark

WITNESSES TO MARK:
J. W. Shuster
(Must be Two Witnesses.) Jos. Angell

Subscribed and sworn to before me this 19th day of June 1902.
Eugene E. Bagwell
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY,
Northern District. }

I, Sarah Rat, a Midwife, on oath state that I attended on Mrs. Luckie Boulin, wife of ~~~~, on the 3rd day of November, 1898 ~~190~~; that there was born to her on said date a male (Male or female.) child; that said child is now living and is said to have been named Willie Harlin.

her
Sarah X Rat
mark

WITNESSES TO MARK:
J. W. Shuster
(Must be Two Witnesses.) Jos. Angell

Subscribed and sworn to before me this 19th day of June 1902.
Eugene E. Bagwell
Notary Public.

Q What is your name? A Tuckie Bowlin.

Q What is your age? A 23.

Q You formerly applied to the Commission for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.

Q You have some further application to prosecute before the Commission from the Choctaw Nation, do you? A Yes sir.

Q Who is your husband? A Martin Bowlin.

Q Where does he live? A Tuckie Bowlin.

Q Is he a citizen by blood of the Choctaw Nation? A Yes sir.

Q Was your application for enrollment made to the Commission to the Five Civilized Tribes prior to March 4, 1907? A Yes sir.

Q Was your husband's application for enrollment made to the Commission to the Five Civilized Tribes prior to March 4, 1907? A Yes sir.

Q Was your husband's application for enrollment as a citizen by blood of the Choctaw Nation approved by the Secretary of the Interior? A Yes sir.

Q Was your husband's application for enrollment as a citizen by blood of the Choctaw Nation approved by the Commissioner to the Five Civilized Tribes? A Yes sir.

Q Was your husband's application for enrollment as a citizen by blood of the Choctaw Nation approved by the President of the United States? A Yes sir.

Q Was your husband enrolled as a citizen by blood of the Choctaw Nation? A Yes sir.

Q Who did the marriage between you and Martin Bowlin?

--Upon an examination of the records in the Commission to the Five Civilized Tribes, it is found that the name of Tuckie Bowlin, husband of Annie Bowlin, has been duly placed on the approved Choctaw Freedmen Roll, and that the name of Annie Bowlin, wife of Martin Bowlin, has been duly placed on the approved Choctaw Freedmen Roll.

Indian Office D 351.

JUN

WHA
Cher-Suppl D 927

Department of the Interior,
Commission to the Five Civilized Tribes,
Vauhillan, I. T., June 19, 1902.

In the matter of the application of Tuckie Bowlin, for the enrollment of herself and her child Willie Harlin, as citizens of the Cherokee Nation :

TUCKIE BOWLIN, being duly sworn, and examined by the Commission through official interpreter George O. Sanders, testified as follows:

Q What is your name ? A Tuckie Bowlin.
Q What is your age ? A 23.
Q You formerly applied to the Commission for enrollment as a citizen by blood of the Cherokee Nation ? A Yes sir.
Q You have now come for an explanation of anotice received by you from the Commission directing you to appear before the Commission at Muskogee ? A Yes sir.

--Upon an examination of the records of the Commission it is found that the name of Tuckie Bowlin, together with her child Willie Harlin, has been duly listed for enrollment on Cherokee Indian Card D 927.

Q What is the name of your father ? A Martin Bowlin.
Q Is he living in the Illinois District at the present time ?
A Yes sir.
Q What is the name of your mother ? A Jensie Canoo.
Q Was your mother living with your father when the roll of 1880 was made ? A No sir.
Q Was your mother married again after she and Martin Bowlin separated ? A Yes sir.
Q Who did she marry after leaving Martin Bowlin ?
A Tieska Canoo.
Q Did you live with your mother when you were a baby or did you live with your father ? A I lived with my mother.
Q Did you have a brother or a half-brother named William ?
A Yes sir.

--The 1880 Cherokee roll examined and the name of Tuckie Bowlin is found and identified thereon at page 355, # 246, Flint District, as Tookah Canoo, together with her step-father Tieska Canoo and her mother Jinny Canoo, at page 355, # 243 and 244, respectively.

E. C. Bagwell, on oath states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this 26 day of June, 1902.

Cherokee D-927.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Tuckie Bowlin and Willie Harlin as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 10,1900, Tuckie Bowlin appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment of herself and her minor child, Willie Harlin, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 13,1902, and at Wauhillau Indian Territory, on June 19,1902.

The evidence shows that the said Tuckie Bowlin is a Cherokee by blood. She is identified on the 1880 authenticated tribal roll of the Cherokee Nation as Tookah Canoo; on the 1894 pay roll and the 1896 census roll of said Nation as Jennie Bowlin, and on all said rolls as a native Cherokee. The minor child, Willie Harlin, is shown to be the child of Tuckie Bowlin. He is too young to be upon any tribal roll of the Cherokee Nation, but is identified by a birth affidavit on file with this Commission.

It further appears that the said Tuckie Bowlin has resided in the Cherokee Nation all her life, and that she and her minor child, Willie Harlin, were residents of the Cherokee Nation at the date of the application herein. It is considered that the residence of the minor child, Willie Harlin since birth has been that of his mother.

It is, therefore, the opinion of this Commission that Tuckie Bowlin and Willie Harlin should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

E 1097

COMMISSIONER OF PATENTS AND TRADE MARKS.
FILED
1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 25, 1902.

Miss Tuckie Bowlin,

Welling, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and minor child Willie Harlin for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 13 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Acting Chairman.
Commissioner in Charge.

Cherokee-327
Enrolled.

INDEXED.

COMMISSION TO FIVE TRIBES.

No.	Received	ANSWERED	
		Book	Page
10960 1902	JUL 5 1902		

D92

Rasmus, William F.,
Tahlequah, I. T.,
July 3, 1902.

CHEROKEE

Desires to give notice of appeal in case Tuckie Bowlin and child, Cherokee applicants.

Cherokee
D - 927.

Tahlequah, I. T. July 3rd 1907.

Hon. U. S. Commission,
to the five civilized tribes
Muskogee, I. T.

Gentlemen:

I desire to hereby respectfully give notice of appeal from the Commission's findings in the above cited case of Tuckie Bowlin applicant for enrollment of herself and child as Cherokee Indians by blood and have advised the Hon. Secy. Int. accordingly. Yours truly

Wm. P. Rasmus
Atty. of record for claimants

Cherokee D 987.

COPY.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Tuskie Bowlin for the enrollment of herself and her minor child, Willie Harlin, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 87.

Copy.

Cherokee D 927.

Muskogee, Indian Territory, October 30, 1903.

W. J. Ramsey,

Attorney for Tuskie Bowlin et al,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1903, granting the application of Tuskie Bowlin for the enrollment of herself and her minor child, Willie Harlin, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure K. No. 66.

COPY.

Cherokee N 287.

Muskogee, Indian Territory, October 30, 1902.

Tuskie Bowlin,

Welling, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of yourself and your minor child, Willie Harlin, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams Bixby

Acting Chairman.

Register.

Enclosure H. No. 65.

Cher 9801

Mary Hendricks

Cher 9801

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PUBLISHERS
ANURADHAPURA

THE CENTURY CO.
PUBLISHERS
POLONNARUWA

Department of the Interior,
Commission to the Five Civilized Tribes
Tahlequah, I.T., December 11, 1900.

In the matter of the application of Mary Campbell for the enrollment of herself as a Cherokee citizen; being sworn and examined by Commissioner Breckinridge she testified as follows:

Q Give me your full name? A Mary Campbell.
Q How old are you? A 18 years old.
Q What is your post-office address? A Lawton.
Q In what district do you live? A Cooweescoowee.
Q Who is it you want to enroll, just yourself? A Just myself
Q Are you a Cherokee by blood? A Half
Q You claim Cherokee blood? A Yes sir
Q How long have you lived in the Cherokee Nation, all your life?
A Yes sir.
Q Give me the name of your father. A Rope Campbell.
Q Is he dead? A No sir, he is living.
Q Give me the name of your mother. A I don't know her name, she died when I was a baby.
Q Was she a white woman? A Yes sir
Q How old is your father. A I don't know.
Q Is he considered to be a very old man? A Yes sir.
Q Your mother died when you were young? A Yes sir.
Q Don't you know her name at all? A No sir/
1880 roll page 84 #639 Hon. Rope Camel Cooweescoowee, native Cherokee 66 years old;
1880 roll page 84 #640 Betsy Camel Cooweescoowee native Cherokee 64 years old
Q Do you know anything about this Betsy Camel? A No sir.
Q Do you know when your father married your mother? A No sir
Q Do you know how long they lived together? A No sir.
Q Did you have any other name besides Mary? A Quatie is my Cherokee name.
1896 roll page 125 #793 Quatie Campbell Cooweescoowee Dist native Ch
1896 roll page 125 #792 Rope Campbell Cooweescoowee.

Com'r Breckinridge: The applicant is identified on the roll of 1896 as a native Cherokee; she does not remember the name of her mother, and whom she states died when she was very young; she is too young to be on the roll of 1880; her father is identified on the roll of 1880; applicant states that his wife who was enrolled with him at that time is not the wife who was his mother; she is identified on the roll of 1896 with her father, and one of his family; she will now be listed for enrollment as a Cherokee by blood, but for the purpose of eliciting further information in regard to marriage between her father and mother her mother claiming, as stated, to have been a white woman, in case such information may be deemed necessary she will at the present be placed upon a doubtful card.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this Dec. 11, 1900.

Commissioner.

...ON TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 11 1900

...ING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 11 1900 1900.

Name Cox Lawton Ind. Ter.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Mary Campbell

District COOWEESCOOWEE. Year 1896 Page 125 No. 293

Citizen by blood yes 1/2 Mother's citizenship .....

Intermarried citizen ..... Parents Rope Campbell

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

born 1896 male as Quatie Campbell

[illegible]

[illegible]

[illegible]

D- 934.

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T. December 13, 1900.

In the matter of the application of Mary Campbell.

Supplementary testimony.

Witness, Rope Campbell, being sworn and examined by Commissioner T. B. Needles, testified as follows through J. R. Sequichie, interpreter.

Q What is your name? A Rope Campbell.
Q How old are you? A 88.
Q What is your postoffice? A Oaks.
Q Do you know Mary Campbell here? A Yes, my daughter.
Q What was her mother's name? A Mindy.
Q Was she a White woman? A Yes sir.
Q When did you marry this girl's mother? A In 1882.
Q Have you got any proof of marriage; any certificate of marriage? A There wasn't any certificate issued. There was a full blood preacher married us.

By W. W. Hastings-
Q Who? A Old man Tickeator.
Q Is he living? A No sir, he's dead.
Q Where was he married? A At my house down on Dog Creek, Cooweescoowee.

Commissioner-
Q Is your wife living? A No, she's dead.

Hastings-
Q Did he live with her until her death? A Yes sir, she didn't die at home. He took her off to some doctor.

Commissioner-
Q How long has she been dead? A Eight or nine years.
Q Was there any body alive that was there when he was married that he can prove his marriage by? A The person that interpreted for his wife is dead also.

W.W.Hastings-
Q How far do you live from Oaks? A About five or six miles.

Commissioner to Applicant-
Q You know your mother's name? A Minta.
Commissioner to witness.
Q What was her name before you married her? A Minta, is all I know. I don't remember her surname.

E.C.Rothenberger, being duly sworn, states that as stenographr to the Commission to the Five Civilized Tribes, he reported in full the supplementary testimony in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 18th day of December, 1900.

T. B. Needles, Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 20 1902

ACTING CHAIRMAN

R.

C. D-934.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 13, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Mary Campbell for the enrollment of herself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 25, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 13th day of March, 1902, and that on said date she might appear before the Commission, either in person or by attorney, when an opportunity would be given her to introduce any additional testimony affecting her application. The applicant having this day, to-wit: the 13th day of March, 1902, been called, and failing to respond, it is deemed that her case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Cherokee-D-934

EXECUTIVE DEPARTMENT

CHEROKEE NATION.
TAHLEQUAH, INDIAN TERRITORY.

I, B.W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that I have examined the marriage records of Coowescoowee District Cherokee Nation to find the [redacted] record of the marriage of Rope Campbell to his wife Minta or Mindy, but fail to find same on record; that said marriage records have been filed in this Office by law and are in my legal custody.

Given under my hand and the seal of the Cherokee Natio this the 12th day of June 1902.

B. W. Alberty
Assistant Executive secretary,
Cherokee Nation.

Executive Department, Cherokee Nation.

Tahlequah Indian Territory.

I hereby certify that I have made careful examination of all the Marriage Records of the Cherokee Nation, now in this office and do not find any evidence in any of them of a license being issued to Rope Campbell to marry his wife Minta or Mindy. neither do the records show any evidence of the marriage of Rope Campbell to his wife, Minta or Mindy and the said records are in my legal custody.

Given under my hand and seal of office on this the 24th day of June A.D. 1908

J. T. Parks,

Executive Secretary.

Cher. D 934

M A R R I A G E L I C E N S E

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } SS. No. 1158

To Any Person Authorized by Law to Solemnize Marriage--Greeting:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. A. M. Hendricks of Dewey, in the Indian Territory, aged 26 years, and Miss Mary Campbell, of Dewey, in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Vinita, Indian Territory, this 3rd day of January, A. D. 1901.

Chas. A. Davidson
Clerk of the U. S. Court.

By T. A. Chandler Deputy.

(SEAL)

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } SS.

I, L. Teel, a Minister of the Gospel, DO HEREBY CERTIFY, that on the 3 day of Jan., A. D. 1901, I did duly and according to law as commanded in the foregoing License, Solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 3 day of Jan, A. D. 1901

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book 200, Page 8.

L. Teel,
A Minister of the Gospel.

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } SS.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 5 day of Feb 1901, at _____ M., and duly recorded in Book J, Marriage Record, Page 496

WITNESS my hand and seal of said Court at Muskogee, in said Territory this 21st day of Feb, A. D. 1901

Chas. A. Davidson Clerk.

By _____ Deputy.

Cher. D 934

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., September 5, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

Chief Clerk Cherokee Division.

Subscribed and sworn to before me this the 5th day of September, 1902.

Notary Public.

Cherokee D 934.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary Campbell as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 11,1900, Mary Campbell appeared before the Commission at Tahlequah, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on December 12,1900 and at Muskogee, Indian Territory, on March 13,1902.

The evidence shows that the said Mary Campbell is the daughter of Rope Campbell a Cherokee citizen by blood, and his wife, Mindy or Minta Campbell, a white woman; that her said parents were lawfully married about the year 1882. No record evidence of the marriage is filed, but the same is established by the personal testimony of Rope Campbell. The said Rope Campbell is identified on the 1880 authenticated tribal roll of the Cherokee Nation as a native Cherokee and the said Mary Campbell is identified on the Cherokee census roll of 1896 as a Cherokee by blood.

The evidence further shows that the said Mary Campbell has lived in the Cherokee Nation all her life, and that she was a resident of said Nation at the date of the application herein.

It is, therefore the opinion of this Commission that the said Mary Campbell should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 25, 1902.

Miss Mary Campbell,

Lawton, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 13 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with original or certified copy of the certificate of marriage of your parents.

Cherokee D-934
Register.

Yours truly,

Commissioner in Charge.

Cherokee-Do 934

Muskogee, Indian Territory, June 7, 1902.

Mr. J. T. Parks, Executive Secretary,
Tahlequah, Indian Territory.

Dear Sir:

Please examine the records of your office for evidence of the marriage of Rope Campbell to his wife, Minta or Mindy, and if such evidence be found, make certified copy of the record and transmit same to this office. In the event that you find no evidence of the marriage, make certificate to that effect. It is suggested that the marriage records of Ceowesscowee District may contain the desired information.

Yours truly,

Acting Chairman.

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING
Cherokee-D- 934

Muskogee, Indian Territory, June 14, 1902.

Mr. J. T. Parks, Executive Secretary,
Tahlequah, Indian Territory.

Dear Sir:

On June 7, 1902 you were requested to examine the record of your office for evidence of the marriage of Rope Campbell to his wife, Minta or Mindy, and that if evidence of the marriage be found you make certified copy thereof, and transmit same to this office, and that in the event that you found no evidence of a marriage, you make certificate to that effect. It was suggested in said letter that the marriage records of Coowescoowee District might contain the desired information. This office is now in receipt of a certificate from B. W. Alberty, assistant executive secretary of the Cherokee Nation, from which it appears that the marriage records of Coowescoowee District have been examined for evidence of the marriage above referred to, but the certificate does not state that the marriage records of the Cherokee Nation have been examined. The suggestion contained in said letter of June 7, 1902 was made for the purpose of directing your attention to the records of the district in which the evidence of marriage would probably be found, but was not intended to limit your search in the event that the information called for was not found in the records of that district. You will please examine the record of marriages of the other districts of the Cherokee Nation for evidence of said marriage, and if found, transmit

Cherokee-3-4754

mit to this office a certified copy thereof. In the event that no evidence of said marriage is found, please make certificate to that effect.

Yours truly

Commissioner in Charge.

Register.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON C. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee-D-938

Muskogee, Indian Territory, June 14, 1902.

Mr. J. T. Parks, Executive Secretary,

Tahlequah, Indian Territory.

Dear Sir:

On June 7, 1902 you were requested to examine the record of your office for evidence of the marriage of Rope Campbell to his wife, Minta or Mindy, and that if evidence of the marriage be found, you make certified copy thereof, and transmit same to this office, and that in the event that you found no evidence of a marriage, you make certificate to that effect. It was suggested in said letter that the marriage records of Coowescoowee District might contain the desired information. This office is now in receipt of a certificate from B. W. Alberty, assistant executive secretary of the Cherokee Nation, from which it appears that the marriage records of Coowescoowee District have been examined for evidence of the marriage above referred to, but the certificate does not state that the marriage records of the Cherokee Nation have been examined. The suggestion contained in said letter of June 7, 1902 was made for the purpose of directing your attention to the records of the district in which the evidence of marriage would probably be found, but was not intended to limit your search in the event that the information called for was not found in the records of that district. You will please examine the record of marriages of the other districts of the Cherokee Nation for evidence of said marriage, and if found, trans-

mit to this office a certified copy thereof. In the event that no evidence of said marriage is found, please make certificate to that effect.

Yours truly,

Commissioner in charge.

Register.

Cherokee 934

Muskogee, Ind. Ter., Sept. 3, 1902.

Mary Hendricks,

Claremore, I. T.

Dear Madam:

The Commission is in receipt of birth affidavit in the matter of the application for the enrollment, as a citizen of the Cherokee Nation, of George Hendricks, infant child of yourself and Alex Hendricks.

The same is in due form and has been filed.

The marriage license and certificate showing your marriage, on January 3, 1901, to A. H. Hendricks, is herewith returned to you, a copy having been made and obtained in the Commission's files.

Yours truly,

Acting Chairman.

Enc. C. 74.

COPY

Cherokee D 934.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Mary Campbell for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 26.

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D 934.

Muskogee, Indian Territory, October 30, 1902.

Mary Campbell,

Weldon, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.
Commissioner in charge.

Register.

Enclosure H. No. 64.


REGISTERED
GREAT BRITAIN

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

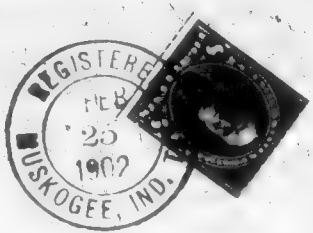
REGISTERED. JUN 6 1902 MUSKOGEE, IND. T.

Mary Campbell,

Weldon, Indian Territory.

2317

REGISTERED
MAY
1902
MUSKOGEE, IND. TER.



Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

258.

Miss Mary Campbell,

Cher 9802

Cher 9802

A D938

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

[illegible]
COMMISSIONER

[illegible]

[illegible]

[illegible]

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 11th, 1900.

IN THE MATTER OF THE APPLICATION OF Silas Cary for the enrollment of himself, wife and child as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, C. R. Breckinridge, testified through interpreter, Joe Sequichie, as follows:

Q Give me your full name? A Silas Cary.
Q How old are you? A Twenty three.
Q What is your Postoffice? A Melvin.
Q In what district do you live? A Tahlequah.
Q Who is it you want to have enrolled; just yourself?
A Myself, wife and one child.
Q Are you a Cherokee by blood? A Yes sir.
Q Full blood? A Yes sir.
Q Is your wife a Cherokee by blood? A Yes sir.
Q Is she a full blood? A Yes sir.
Q Have you lived in the Cherokee nation all your life? A Yes sir.
Q Give me the name of your father? A Saloi Cary.
Q Is he dead? A No sir, he is living.
Q Give me the name of your mother? A Susan Cary.
Q Is she dead? A She is living.
Q Give me the name of your wife? A Annie Cary.
Q How old is she? A Twenty two. months
Q When did you marry her? A About two ~~years~~ ago.
Q Has she lived in the Cherokee Nation all her life? A Yes sir.
Q Give me the name of her father? A Walker Cochran.
Q Is he living? A Yes sir.
Q Give me the name of her mother? A Nancy Cochran.
Q Is she living? A Yes sir.
Q Give me the name of your child? A Thomas Cary.
Q How old is that child? A Three years old.
Q Who is the mother of that child? A Annie.
Q Your present wife? A Yes sir.
Q How long have you been living with this woman? A Not long.
Q Is she enrolled with you in 1896? A No sir.
Q Is this child called Thomas Cary? A Yes sir.
Q Was she ever married before she married you? A No sir.
Q Have you some one here now who knows she has lived with you as your wife? A Yes sir.

(1880 Roll, Page 749, #477, Silas Carey, Tahlequah District)
(1880 Roll, Page 747, #624, Anna Cooran, Tahlequah District)
(1896 Roll Page 1288, #636, Silas Carey, Tahlequah District)
(1896 Roll, Page 1084, #583, Annie Cochran, Tahlequah District)

Q Have you any certificate of marriage? A Yes sir.
Q Where is it? A It is in the Clerk's office.

Com'r. C. R. Breckinridge: The applicant applies for the enrollment of himself, his wife and one child. He is identified on the rolls of 1880 and 1896 as a native Cherokee: He has lived in the Cherokee nation all his life, and he will be listed for enrollment as a Cherokee by blood.

His wife is identified on the rolls of 1880 and 1896: She is said to have lived in the Cherokee Nation all her life. The applicant states that they were married about two months ago. As to proof to establish the identity of his wife since her marriage, the applicant states that he has a marriage certificate in the Clerk's office, which he is directed to send to the Commission: His wife will be listed for enrollment as a Cherokee by blood upon the presentation of the proof of her identity. The child, Thomas Cary, will be listed as one of the citizens by blood of the Cherokee Nation, as the child of the applicant.

MILAN GANY ET AL.

-2-

to admit the identification of his wife since her enrollment in 1906.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 13th day of December, 1920.

COMMISSIONER.

...SION TO THE FIVE CIVILIZED ...BES

FILED

DEC 11 1900

...CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 11 1900 1900.

(2) Name Lisa Casey

District TAHLEQUAH. Year 1880 Page 249 No. 949

Citizen by blood ~~yes~~ Mother's citizenship

Intermarried citizen Sallie Casey Parent

Married under what law Date of marriage

License (2) Certificate

Wife's name Anna Casey

District TAHLEQUAH. Year 1880 Page 247 No. 524

Citizen by blood yes Mother's citizenship

Intermarried citizen Parents {Walker Cochran / Nancy "

Married under what law Date of marriage

License Certificate

Names of Children:

(3) Thomas Casey Dist. Year Page No. Age 5

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

2 on 1880 roll as Anna Cowan

3 Birth affidavit required

Rej 46 402

938

20

IN RE

Application for Enrollment of

INFANT CHILD

Thomas Carey

as a citizen of

Cherokee Nation.

Approved, DEC 14 1900 190

Commissioner.

DEPARTMENT OF THE INT
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 14 1900

Card #D 938.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Thomas Carey (Here insert name of child), born on the 3rd day of Dec, 1897

Name of Father: Clem Carey, a citizen of the Cherokee Nation.

Name of Mother: Annie Carey, a citizen of the Cherokee Nation.

Post-office, Melvin, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Annie Carey, on oath state that I am 22 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Clem Carey, who is a citizen, by blood, of the Cherokee Nation, that a male (male or female) child was born to me on the 3rd day of December 1897; that said child has been named Thomas Carey, and is now living.

Annie her X Carey
mark

WITNESSES TO MARK (Must be Two Witnesses)
Geo M Barnes
W H Chesnut

Subscribed and sworn to before me this 11th day of December 1900

S S Bayles NOTARY PUBLIC.

My commission expires SEP 12 1903

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Nancy Cochran, Midwife, on oath state that I attended on Mrs Annie Carey, wife of Clem Carey, on the 3rd day of December, 1897 that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Thomas Carey

WITNESSES TO MARK (Must be Two Witnesses)
J R Bingley Nancy her X Cochran
mark
Jesse Mayfield.

Subscribed and sworn to before me this 11th day of December 1900.

My commission Expires SEP 12 1903 S S Bayles NOTARY PUBLIC.

C D 958

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Annie Carey, and her son Thomas Carey, as citizens of the Cherokee Nation.

SUPPLEMENTAL STATEMENT

On the 14th day of December, 1900, there was filed with the Commission to the Five Civilized Tribes, an "Affidavit of Mother" wherein it is shown that Thomas Carey was born on the 3rd day of December, 1897, to Annie Carey, the lawful wife of Clem Carey.

The affidavit is also accompanied by an "Affidavit of Mid-wife", who was in attendance at said birth.

The testimony shows one Silas Carey to be the husband of Annie Carey, while the affidavit recites that "Annie Carey is the lawful wife of one Clem Carey"; the difference in names as shown by the testimony and the affidavit respecting the husband is not essential in this case, for the reason that the mother being upon the 1880 roll, establishes the status of the child irrespective of paternity.

It is directed that copies of this statement be filed with the testimony in this case.

Dated at Muskogee, Indian Territory,
this 8th day of March, 1902.

Commissioner.

D938+~~b~~

20

IN RE

Application for Enrollment of

INFANT CHILD

Martain Carey

as a citizen of

(U.S. Ree)

Nation.

Approved

1902

Commissioner.

1902

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Harlan Carey (Here insert name of child.), born on the 3 day of May, 1901

Name of Father: Silas Carey a citizen of the Cherokee Nation.

Name of Mother: Annie Carey a citizen of the Cherokee Nation.

Post-office Welvin, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY } Northern District.

I, Annie Carey, on oath state that I am 26 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Silas Carey, who is a citizen, by blood, of the Cherokee Nation; that a male (male or female.) child was born to me on 3 day of May, 1901; that said child has been named Harlan Carey, and is now living.

her
Annie + Carey
mark

WITNESSES TO MARK:

(Must be Two Witnesses.) S. R. Walkingstick
Wm Eubanks

Subscribed and sworn to before me this 15 *day of* April 1901

Bruce C Jones
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District,

I, Susie Carey, a midwife, on oath state that I attended on Mrs. Annie Carey, wife of Silas Carey on the 3 day of May, 1901; that there was born to her on said date a male (male or female.) child; that said child is now living and is said to have been named Harlan Carey.

her
Susie + Carey
mark

WITNESSES TO MARK:

(Must be Two Witnesses.) S. R. Walkingstick
Wm Eubanks

Subscribed and sworn to before me this 15 *day of* April 1901

Bruce C Jones
NOTARY PUBLIC

Cherokee D 938

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Annie Carey and her minor children Thomas and Harlan Carey, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 11, 1900, Silas Carey appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment of his wife Annie Carey and their minor child Thomas Carey, as citizens by blood of the Cherokee Nation. The application also included Silas Carey, but he is differently classified and is not embraced in this decision.

The evidence in this case shows that on the 3rd day of May, 1902, there was born to Annie Carey, the lawful wife of Silas Carey, a male child. Said child has been named Harlan Carey. Therefore, the said Harlan Carey becomes an applicant in this case. Annie Carey is identified on the Cherokee Authenticated Tribal Roll of 1880, and on the Cherokee Strip Payment Roll of 1894. She has resided in the Cherokee Nation all her life. Thomas Carey is identified by a certificate of birth.

It is, therefore, the opinion of this Commission that Annie Carey and her minor children Thomas and Harlan Carey, should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 14 1902

COPY.

Cherokee D 938.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Silas Carey for the enrollment of his wife, Annie Carey, and his two minor children, Thomas and Marlan Carey, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. C. No. 24.

Cherokee Roll.

Muskogee, Indian Territory, October 30, 1902.

Silas Carey,

Melvin, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of your wife, Annie Carey, and your two minor children, Thomas and Harlan Carey, as citizens by blood of the Cherokee Nation.

Respectfully,

James [illegible]

Acting Chairman.

Register.

Enclosure H. No. 63.

Cher 9803
Bertha White

Cher 9803

Department of the Interior,
Commission to the Five Civilized Tribes,
December, 13th, 1900, Tahlequah, I. T.

In the matter of the application of Josiah White for the enrollment of himself, wife and two children as Cherokee citizens by Mc being sworn before Commissioner Needles, testified as follows-

Q What is your name? A. Josiah White.
Q What is your age? A. 38.
Q What is your post office address? A. Fairland.
Q What district do you live in? A. Delaware.
Q Are you a recognized citizen of the Cherokee Nation? A. Yes sir.
Q By blood or inter-marriage? A. By blood.
Q Who do you apply for? A. Myself, wife and two kids.
Q What is your wifes name? A. Ida.
Q Is she a Cherokee by blood? A. No sir.
Q Have you a certificate of marriage? A. Yes sir.

Applicant presents a duly authenticated marriage license and certificate certifying that on the 18th of January 1900, he was married to Miss Ida Hampton, a non-citizen according to the laws of the United States.

Q What is the age of your wife? A. 22.
Q What are the names of your children? A. Bertha.
Q How old? A. 2 years.
Q Next child? A. Donovan
Q How old? A. One year on the 9th of Febry.
Q Is Ida the mother of these children? A. Yes sir.
Q Were they born before your marriage to her? A. One of them was.
Q You do not seem to be on the roll of 1880? A. We were admitted.

1896 roll, page 551, No 5350, Josiah White, Delaware dist.

The applicant presents a certificate of admission to Cherokee citizenship issued from the office of the Commission on citizenship, dated 30th day of June, 1888, signed by J. T. Adair Chairman, attested by Connell Rogers, Clerk, approved and endorsed by J. B. Mayes, Principal Chief under the great seal of the Cherokee Nation, certifying that on the 27th of September, 1887 one Josiah White was admitted to Cherokee citizenship.

Q Are you the identical Josiah White mentioned in this certificate of admission? A. Yes sir.
Q Have you lived in the Cherokee Nation continuously since your admission in 1887? A. Yes sir.
Q You and your wife Ida were married in 1900? A. Yes sir.
Q Have you any proof as to the birth of these two children? A. Yes sir

The applicant presents proof of birth as to Bertha, his child, certifying that she was born on the 25th day of May 1898, now two years of age, and also one as to the birth of a younger child, Donovan, born on the 19th day of Febry. 1900.

The testimony shows that his alleged daughter was born on the 25th day of May 1898, two years before the marriage of himself and

Joshua White No

his wife, and that the youngest child was born on the 9th day of February 1900, about three weeks after the date of his marriage to his wife. The name of Joshua White is identified on the roll of 1896 and he makes satisfactory proof as to his admission to Cherokee citizenship as well as to his residence, consequently he will be listed for enrollment as a Cherokee citizen by blood. He applies for the enrollment of his wife, a white woman, to whom he was married in 1899, two days under the Thornton law of 1898 to give her any property rights as an intermarried citizen, consequently the application for her enrollment is rejected. He also applies for the enrollment of two children, Martha and Emerson White. The said Martha was born two years before the marriage of himself to his wife, and the said Emerson was born about three weeks after his marriage to his wife. He avers that he is the father of said children, but because of the question of the birth of the said children as set forth in the testimony, the final decision of the Commission as to their enrollment will be suspended and they will be placed on a doubtful card as Cherokee by blood.

I, [illegible], being first duly sworn, that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled case, that the foregoing is a full, true and correct transcript of his stenographic notes thereto.

[illegible]

Subscribed and sworn to before me this the 12th of December, 1906.

[illegible]

Commissioner.

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 12 1900

ACTING CHAIRMAN

Enrollment of Applicants Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 12 1900 1900.

Name Fairland Ind Ty

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Harriet Pool

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship Cherokee Ida White

Intermarried citizen ..... Josiah "

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

1 Bertha White	Dist. ~~Cherokee~~	Year	Page	No.	Age 2
2 Donovan "	Dist. ~~Cherokee~~	Year	Page	No.	Age 1
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

1 and 2 Birth affidavits supplied

1 Born before marriage of parents

2 " Birth after " " "

20

IN RE

Application for Enrollment of

INFANT CHILD

Britha White

as a citizen of the

Cherokee Nation.

Approved. DEC 12 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 8 1902

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Birtha White (Here insert name of child), born on the 25 day of May, 1898

Name of Father: Josiah White, a citizen of the Cherokee Nation.

Name of Mother: Ida White, a citizen of the Cherokee Nation.

Post-office, GARLAND, IND. TER.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Ida White, on oath state that I am 22 years of age and a citizen, by intermarriage, of the Cherokee Nation; that I am the lawful wife of Josiah White who is a citizen, by blood, of the Cherokee Nation; that a female (male or female) child was born to me on the 25 day of May 1898; that said child has been named Birtha White, and is now living.

Ida White

WITNESSED TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 5 *day of* December 1900

My Com. Exp Sept 4-1904

Eli James
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN; OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Dr Eli James, a physician, on oath state that I attended on Mrs. Ida White, wife of Josiah White, on the 25 day of May, 1898; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Birtha White

Eli James M.D.

WITNESSED TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 13 *day of* Oct 1900

My Com. Exp Sept 4-1904

Eli James
NOTARY PUBLIC.

1 20 40

IN RE

Application for Enrollment of

INFANT CHILD

Dinawan White

as a citizen of the

Cherokee Nation.

Approved, DEC 12 1900 1900

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 12 1900

ASST. CLERK.

hcA

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Donovan White (Here insert name of child.), born on the 9 day of February, 1900
Name of Father: Josiah White, a citizen of the Cherokee Nation.
Name of Mother: Ida White, a citizen of the Cherokee Nation.
Postoffice, FAIRLAND, IND. TER.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Ida White, on oath state that I am 22 years of age and a citizen, by intermarriage, of the Cherokee Nation; that I am the lawful wife of Josiah White, who is a citizen, by blood, of the Cherokee Nation; that a male (male or female) child was born to me on the 9 day of February, 1900 that said child has been named Donovan White, and is now living.

Ida White

WITNESSES TO MARK:
(Must be Two Witnesses.)

Subscribed and sworn to before me this 5 day of December 1900
My Com. Exp Sept 4-1904
O. James
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Mary J. Jones, a Midwife, on oath state that I attended on Mrs. Ida White, wife of Josiah White, on the 9th day of February, 1900; that there was born to her on said date a Male child; that said child is now living and is said to have been named Donovan White

Mary J. Jones

WITNESSES TO MARK:
(Must be Two Witnesses.)
Edmond Moore
Sam'l Moore

Subscribed and sworn to before me this 28 day of July 1900.
Commission expires Mar. 9 1904
E. D. Smith
NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED
APR 1 1902

Dawes

R.

C. D-947.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 13, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Josiah White for the enrollmentof his two children as citizens of the Cherokee Nation.

The applicant was notifiedby registered letter February 25, 1902, thathis application for the enrollment of his two children as citizens of the Cherokee Nation, would be taken up for final consideration by the Commission atits offices in Muskogee, I. T., on the 13th day of March, 1902, and thaton said date he might appear before the Commission, either in person or by attorney, when an opportunity would be given him to introduce any additional testimony affecting his applicaton. The applicant having this day, to-wit: the 13th day of March, 1902, been called, and filing to respond, it is deemed thathis case is completed, and same will be reported to the Commission for final decision based upon the evidencenow of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that thek regoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

MARRIAGE LICENSE.

United States of America,)
Indian Territory,)ss. No. 8
Northern District.)

To any person authorized by law to solemnize marriage--greeting:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. Joseph White of Fairland, in the Indian Territory, aged 40 years, and Miss Ida Hampton of Fairland, in the Indian Territory, aged 22 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Miami, Indian Territory, this 16th day of Jan, A. D. 1900.

Seal. C. A. Davidson,
Clerk of U. S. Court.
By H. H. Butler, Deputy.

CERTIFICATE OF MARRIAGE.

United States of America,)
Indian Territory,)ss.
Northern District.)

I, rev. H. S. Westen, a Minister of the Gospel, DO HEREBY CERTIFY, that on the 18 day of January A. D. 1900, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 18 day of January, A. D. 1900

My Credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book....., Page.....

rev. H. S. Westen,
A Minister of the Gospel.

CERTIFICATE OF RECORD.

United States of America,)
Indian Territory,)ss.
Northern District.)

I, James A. Winston, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed in my office the 14 day of Feby, 1900, at 8 A. M., and duly recorded in Book I, Marriage Record, Page 220.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 14 day of Feby. A. D. 1900.

Chas. A. Davidson, Clerk.
By.....Deputy.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., August 11, 1902.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for the enrollment of Ida White as a Cherokee citizen. R 468.

Cherokee D 947

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Bertha White and Donavan White for enrollment as citizens by blood of the Cherokee Nation:

D E C I S I O N .

The record in this case shows that on December 12, 1900, Josiah White appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment, among others, of his two minor children, Bertha White and Donavan White, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 13, 1902. The other parties to the application are differently classified and are not embraced in this decision.

The evidence shows that Bertha White, born May 25, 1898, and Donavan White, born February 9, 1900, are the minor children of Josiah White and Ida White, and are duly identified by birth affidavits on file with the Commission; that they were born and have always resided in the Cherokee Nation, and were residing in said nation at the date of this application.

The evidence further shows that Josiah White was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said nation on June 30, 1888, and that since that time he has continuously resided in said Cherokee Nation and was residing therein at the date of this application, and is duly identified upon the 1896 census roll of said nation.

The evidence further shows that said Josiah White and Ida White were lawfully married on January 18, 1900, two years after the date of birth of said Bertha White and three weeks prior to the date of birth of said Donavan White.

Section 692, of the Compiled Laws of the Cherokee Nation (1892), is, as follows:

"All marriages which are herein prohibited on account of consanguinity between the parties, or on account of either of them having a former husband or wife then living, shall be absolutely void in this Nation, without any judgment of divorce or other legal proceeding; provided, that the issue from such unlawful marriage shall nevertheless be legitimate; provided, also, when a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, or proven to be his, shall thereby be legitimate."

Cherokee D 947

It is, therefore the opinion of this Commission that the said Bertha White and Donavan White should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 25, 1902.

Mr. Josiah White,

Fairland, Indian Territory.

Sir:-

You are hereby notified that the application of Bertha and Donovan White

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 13 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-967
Register.

Yours truly,

[redacted]
Commissioner in Charge.

Muskogee, Indian Territory, June [illegible], 1902.

G. A. Smith,

Fairland, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th instant, asking if the Commission has received the birth affidavit in the matter of the application of Irvin White, the infant child of Josiah White and Ida White, for enrollment as a citizen of the Cherokee Nation.

In reply you are advised that it has. It appears, however, that under date of June 7, 1902, Josiah White was notified that as the mother of this child was a white woman, and not a citizen of the Cherokee Nation, it would be necessary that he furnish the Commission with his original marriage license and certificate before the affidavit as to the birth of his child could receive further consideration. It does not appear that Mr. White has yet complied with the request of the Commission.

Yours truly,

Stenographer to Commission.

COPY

Cherokee 5 947.

Muskogee, Indian Territory, September 26, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Josiah White for the enrollment of his two minor children, Bertha and Donavan White, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Enc. C. Bo. Bl.

COPY

Cherokee D 949.

Muskogee, Indian Territory, October 20, 1902.

Josiah White,

Fairland, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your two minor children, Bertha and Donavan White, as citizens by blood of the Cherokee Nation.

Respectfully,

Tams [illegible]
Acting Chairman.

Register,

Enclosure H. No. 62.

Cher 9804

Zoe M. Cannon

Cher 9804

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
FORT GIBSON, I.T., AUGUST 22, 1900.

In the matter of the application of May Connon for enrollment as a citizen of the Cherokee Nation, said Cannon being sworn by Commissioner Needles, testified as follows:

Q What is your name? A May Cannon.
Q Your age? A 18.
Q Your postoffice? A Caddo.
Q Are you a recognized citizen of the Cherokee Nation? A Yes.
Q By blood or intermarriage? A By Blood.
Q What degree of blood do you claim? A One-quarter.
Q What district do you live in? A Blue county, Choctaw Nation.
Q Born there? A Yes.
Q Have you lived there ever since? A No sir, lived here in the Cherokee Nation.
Q When? A I lived here about three years.
Q Don't live here now? A No sir.
Q What year was it you lived here? A I cannot remember what year I lived here with my grand-mother.
Q What was your grand-mother's name? A Martha Beck.
Q How old were you when you lived here? A About 5 or 6 years old.
Q Are you married? A yes.
Q What is your husband's name? A William Cannon.
Q Citizen or non-citizen? A Non-citizen.
Q Where does he live? A Blue county, Choctaw Nation.
Q What is your mother's name? A Nancy Hampton.
Q Is she a citizen? A Yes.
Q Is she living? A No sir.
Q What was her name when she died? A Hampton.
Q Where did she live when she died? A Choctaw Nation.
Q Was her name upon the rolls of the Cherokee Nation? A Not that I know of.
Q Have you any children? A No sir.

By Mr. Hastings, Cherokee Attorney:
Q Is your father part Choctaw? A No sir, white man.
Q Whom have you been living with in the Choctaw Nation? A My aunt raised me— Crittenden.
Q Your age? A 18.
Q Married in the Choctaw Nation? A yes.
Q Husband lives there? A Yes.
Q You have not been living in the Cherokee Nation since you were five years old? A Yes, I went to the Orphan Home 2 or 3 years- came home in '89.
By the Commission:
Q Did your mother live and die in the Choctaw Nation? A Yes.

Applicant on '84 roll, page 1085, number 1625, as Zoe May Hampton.

The name of Mary Cannon appears upon the census roll of '94.

Q She avers that her maiden name was Mary Hampton. The name of her mother is not found upon any of the rolls of th Cherokee Nation, but the applicant's name is found upon the pay-roll of '94. Testimony shows that she is a citizen of the Choctaw Nation and married there? Final judgment as to her enrollment will be suspended and she will be placed upon a doubtful or white card.

The undersigned, being first duly sworn, states that as Stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Brown McDonald

Subscribed and sworn to before me this 11th day of September, 1900.

C. R. Breaux

Commissioner.

B-

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 22 1900

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

AUG 22 1900

Date Cadao I.T. 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name May Cannon

District Tahlequah Year 1894 Page 1085 No. 1625

Citizen by blood yes 1/4 Mother's citizenship Nancy Hampton

Intermarried citizen

Married under what law Date of marriage

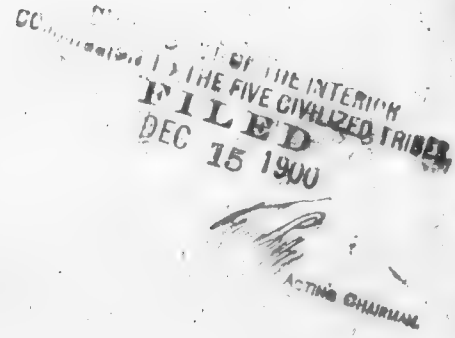
License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

1m 1894 roll as for May Hampton

N16.1


OF THE INTERIOR
THE FIVE CIVILIZED TRIBES
FILED
DEC 15 1900
ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., DECEMBER 13th, 1900.

In the matter of the application of Zoe May Cannon for the enrollment of herself as a citizen of the Cherokee Nation; said Cannon being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name? A Zoe May Cannon.
Q How old are you? A 18.
Q What is your post office? A Caddo.
Q In what district do you live? A Blue County.
Q Who is it you want to have enrolled, just yourself? A Just myself only.
Q Do you claim as a Cherokee by blood? A Yes, sir.
Q How long have you lived in the Choctaw Nation? A I was born there but I went to school up here until my mother died and I come here with my grand mother, Martha Beck.
Q How old were you when you came to the Cherokee Nation? A I cannot tell you how old I was when I first came.
Q Were you a little child? A Yes, sir.
Q How long did you stay here? A Two or three years until my gran mother died.
Q She took you back to the Choctaw Nation and you have been there ever since? A Exceept what time I have been going to the orphan scholl up here, three terms.
Q Give me the name of your father? A William Bradfard Hampson.
Q Is he dead? A The report is that he is dead, but I heard not long ago that he is living.
Q Give me the name of your mother? A Nancy Hampson.
Q Is she dead? A Yes, sir, she died when I was four years old.
Q Was shea Cherokee woman? A Yes, sir.
Q Was your father a Cherokee or white man? A White man.

Com'r:--The applicant presents an official copy of an Act of the Cherokee Council approved February 1, 1888, readmitting certain persons to citizenship as Cherokees by blood, and among them appears the name of Zoe May Hampson. This is identified as official evidence of her readmission as stated.

Q That is your name at that time? A Yes, sir.

This is filed herewith.

Q Now, where did you live after you were readmitted in 1888? A Out here about six miles north of Tahlequah.
Q Did you go to the orphan school here before or after that? A After that, I went home in 1889 on account of my eyes being so weak I could not study.
Q You mean you went back to the Choctaw Nation? A Yes, sir.
Q Well now, you are married are you? A Yes, sir.
Q Have you a certi ficate of your marriage? A Yes, sir, I have it.

Com'r:--The applicant files letters of guardianship showing that on the 9th of November, 1893, Eliza Ward, was appointed by the Judge of Tahlequah District, as the guardian of the applicant.

Q When did you marry? A Last July.
Q Have you your marriage certificate? A Yes, sir.
Q Who i s Eliza Ward who was made your guardian, is she your Aunt? A Yes, sir.
Q Does she live in the Cherokee Nation? A No, sir, she lives in the Choctaw Nation.

Com'r:--The applicant presents a license issued by the Cherokee or the United States Court, Central District, Indian Territory, dated January 22, 1900, authorizing marriage tween herself and William L. Cannon. The certificate shows that they were united in marriage on the 1st of July, of the present year by the Rev. William M. DeVeese. This is filed herewith.

Zoe May Cannon--2.

Q Now, where have you lived since you have married? A In the Choct aw Nation.
Q Where have you lived since you left school on account of your eyes? A With my Aunt in the Chowtaw Nation.
Q As a minor? A Yes, sir.
Q Is your husband a white man? A Yes, sir.
Q What is he doing in the Chowtaw Nation? A Farming.
Q Is he a renter or own land? A Renter.
Q Does he consider that his permanent home? A No, sir.
Q Has he ever lived up here in the Cherokee Nation? A No, sir.
Q Has he taken any steps to make his home here in the Cherokee Nation? A He has talked about it.
Q You do not know just what he is doing? A No sir.
Q Has he been up here to see about coming? A He is coming up here next week. He come up to Fort Gibson last summer.
Q What is he doing, looking to make a home here? A Hehas not done anythong up here.
Q What reason have you to believe that he intends making his home here? A That is his intention if I got on, of co urse he can't if I can't.
Q Has he always sair he wanted to make his home in the Cherokee Nation? A I have a place out here.
Q How much land have you fenced in out there? A I do not know, there are four shares of us.
Q Have you been getting rent from that place? A My cousin took it in possessi on and would not give us any of the rent.
Q You have always claimed that place have you? A Yes, sir.
Q But you can't get it from your cousin, is that it? A Ye , sir, I do not know how much is in cultivation.
Q You have never got any rent from it? A No, sir.
Q Your husband can't enter upon it now can he? A I do not know how it is.
Q You do not know of any land that you and your husband can come and occupy now do you? A No, sir.
Q Nonexxf that you have control of? A No, sir.
Q Are you on any roll, are you on the 1896 roll? A I think I am.
Q Were you at the orphan institute in 1896? A Yes, sir.
1896 Roll; page 1043, #63, Mary Hampton, Orphan Roll, Saline.

Com'r Breckinridge:--The applicant is shown to have been readmitted to citizenship as a Cherokee by blood, on January 28, 1888. She gives her age at present as 18 years, and she established her marriage in July of the present year by the license and certificate filed herewith. A part of her child hood was was spent with her Aunt, who is shown to have been her guardian, in the Choctaw Nation, where she is residing at the present time. She is identified on the Orphan roll of 1896, and she has divided her time between the Cherokee Nation and t he Choctaw Nation. Her mother being dead, she has been dependent upon her Aunt. For the further consideration of her rights with reference to her residence and under the conditions stated in the testimonyk she will now be listed for enrollment as a Cherokee by blood, upon a doubtful card, and the final decision will be made known to her at her post office address.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcri pt of his stenographic notes thereof.

J O Rosson

Subscribed and sworn to before me this 13th day of December, 1900.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
RECEIVED
DEC 13 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 13 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Zoe M. Cannon Caddo I.T.

District Saline (Orphan roll) Year 1896 Page 1043 No. 63

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

On 1896 roll as Mary Hampton

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

LETTERS OF GUARDIANSHIP.

CHEROKEE NATION,
Tahlequah District.

OFFICE DISTRICT JUDGE,
Tahlequah District.

To whom it may concern:

KNOW YE, That I, L. W. Shirley Judge of the District Court of the District and Nation aforesaid, do, by virtue of authority in me vested by law, this day make, constitute and appoint in the name and by the authority of the Cherokee Nation Eliza Ward as guardian of Jno Hampton Fannie Hampton

minor children of Nancy Hampton deceased late of Tahlequah District, Cherokee Nation, the said Eliza Ward having complied with and performed all duties required by law of her precedent to this appointment.

In testimoney whereof I hereunto set my hand on this the 9th day of November 1893.

L. W. Shirley

Judge District Court.

Attest, R. M. Cannon Cherokee
Deputy Clerk Tahlequah District.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1906

496 I

Laws Cherokee Nation Extra Session Feby. 1888

Senate Bill No. 17.

An Act admitting parties therein named to Cherokee citizenship

Be it enated by the National Concil:

That the following named parties to-wit: Sarah Smith, Fannie E.Hampton, Fredreck Beck, Oceola Allen Zoe May Hampton, grand children of Mrs. Martha Beck as Cherokees by blood, also, Fannie Eliza Hampton, also the family of Richard Riley Keyes ~~# ##### ### ###

"E"

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

No. 765

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
CENTRAL DISTRICT. } SCT.

I, E. J. FANNIN, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of

Mr. Wm R Cannon and

Miss. Mary Hampton

was filed in my office in said Territory and District the 5 day of July A. D. 1900 and duly recorded in Book one of Marriage Record, Page 383

WITNESS my hand and seal of said Court, at Atoka this 5 day of July A. D. 1900

E. J. FANNIN, Clerk.

By D. J. Fallon Deputy

ADAMS & COUCH, MFG STATIONERS, GALVESTON 700

MARRIAGE LICENSE.

[redacted]

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
CENTRAL DISTRICT. } ss.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the BANS OF MATRIMONY between Mr. William L Cannon of Coffee in the Indian Territory, aged 25 years, and Miss May Nampton of Coffee in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS My hand and official seal, this 27 day of June A.D. 1900

Don J Folsom
Deputy.

E J Fannin
Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
CENTRAL DISTRICT. } ss.

I, Wm H Devereese a Gospel Minister

do hereby CERTIFY, that on the First day of July A.D. 1900 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANS OF MATRIMONY between the parties therein named.

Witness my hand this First day of July A.D. 1900

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book B, Page 64

[redacted]

Wm H Devereese
Minister

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, [illegible] within sixty days from the date thereof, or the party to whom the License was issued will be liable to the [illegible]

20

IN RE

Application for Enrollment of

INFANT CHILD

Leonard L Cannon

as a citizen of

Cherokee Nation.

Approved August 1st, 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 1 1901

Acting Chairman.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee — Nation,
of Lonard L Cannon, born on the 18 day of April, 1901
(Here insert name of child)
Name of Father Wm L Cannon —, a citizen of the United States Nation.
Name of Mother Zoe May Cannon —, a citizen of the Cherokee — Nation.
Post-office, Caddo, Indian Ter —

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, } INDIAN TERRITORY,
Ent District. }

I, Zoe May Cannon (nee Hampton) on oath state that I am 19 —
years of age and a citizen, by blood, of the Cherokee — Nation;
that I am the lawful wife of Wm L. Cannon —, who is a citizen, by
, of the United States — Nation, that a male — child was
(male or female.)
born to me on the 18th day of April 1901 that said child has been
named Lonard L Cannon —, and is now living.

WITNESSES TO MARK Zoe May Cannon —

(Must be Two Witnesses)

Subscribed and sworn to before me this 1st day of June 1901.

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY,
Ent District. }

I, Tom J. Long, Physician —, on oath state that I
attended on Mrs Zoe May Cannon, wife of Wm L. Cannon,
on the 18 day of April, 1901, that there was born to her on
said date a male — child; that said child is now living and is said to have been
(male or female)
named Lonard L Cannon —.

WITNESSES TO MARK: X Tom J. Long

(Must be Two Witnesses)

Subscribed and sworn to before me this 1 day of June 1901

NOTARY PUBLIC.

Commissioner.

Brookhart.

Respectfully,

O. B. Brown Moorman.

Superintendent, Five Civilized Tribes.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, September 1, 1900.

Hon. William A. Jones,
Commissioner of Indian Affairs,
Washington, D. C.

Sir:

I have the honor to acknowledge receipt of your letter of August 25, 1900, inclosing stenographic notes of the testimony taken at Muskogee, Indian Territory, August 15, 1900, in the matter of the application of Mrs. Ida Brown Moorman for the enrollment of her minor children as citizens by blood of the Muscogee Nation.

Upon receipt of your letter I at once addressed a letter to the attorney for Mrs. Moorman, a copy of which is inclosed herewith, marked "A", and received a reply thereto, a copy of which is also inclosed herewith, marked "B".

Upon receipt of the letter from Mrs. Moorman's attorney I addressed a letter to the Commissioner of Indian Affairs, a copy of which is inclosed herewith, marked "C", and received a reply thereto, a copy of which is also inclosed herewith, marked "D".

Upon receipt of the letter from the Commissioner of Indian Affairs I addressed a letter to Mrs. Moorman's attorney, a copy of which is inclosed herewith, marked "E", and received a reply thereto, a copy of which is also inclosed herewith, marked "F".

The matter has been fully considered by the Commissioner to the Five Civilized Tribes, and he is of the opinion that the testimony in the case of Mrs. Ida Brown Moorman does not show that she is entitled to the enrollment of her minor children as citizens by blood of the Muscogee Nation.

Respectfully,

Tams Bixby,
Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes,
Fort Gibson, I. T., August 22, 1900.

In the matter of the application of May Cannon for enrollment as a citizen of the Cherokee Nation, said Cannon being sworn by Commissioner Needles, testified as follows:

Q What is your name? A May Cannon.
Q Your age? A 18.
Q Your postoffice? A Caddo.
Q Are you a recognized citizen of the Cherokee Nation? A Yes.
Q By blood or intermarriage? A By Blood.
Q What degree of blood do you claim? A One-quarter.
Q What district do you live in? A Blue County, Choctaw Nation.
Q Born there? A Yes.
Q Have you lived there ever since? A No sir, lived here in the Cherokee Nation.
Q When? A I lived here about three years.
Q Don't live here now? A No sir.
Q What year was it you lived here? A I cannot remember what year I lived here with my grand-mother.
Q What was your grand-mother's name? A Martha Beck.
Q How old were you when you lived here? A About 5 or 6 years old.
Q Are you married? A Yes.
Q What is your husband's name? A William Cannon.
Q Citizen or Non-citizen? A Non-citizen.
Q Where does he live? A Blue County, Choctaw Nation.
Q What is your mother's name? A Nancy Hampton.
Q Is she a citizen? A Yes.
Q Is she living? A No sir.
Q What was her name when she died? A Hampton.
Q Where did she live when she died? A Choctaw Nation.
Q Was her name upon the rolls of the Cherokee Nation? A Not that I know of.
Q Have you any children? A No sir.

By Mr. Hastings, Cherokee Attorney:
Q Is your father part Choctaw? A No sir, white man.
Q Whom have you been living with in the Choctaw Nation? A My aunt raised me — Crittenden.
Q Your age? A 18.
Q Married in the Choctaw Nation? A Yes.
Q Husband lived there? A Yes.
Q You have not been living in the Cherokee Nation since you were five years old? A Yes, I went to the Orphan Home 2 or 3 years- came home in '89.
By the Commission:
Q Did your mother live and die in the Choctaw Nation? A Yes.

Applicant on '94 roll; page 1086, number 1825, Zoe May Hampton.

The applicant applies for the enrollment of herself as a citizen by blood of the Cherokee Nation. She is not identified upon the authenticated roll of 1880, nor the census roll of 1896; her name however, is found upon the strict Payment roll of 1896; the avers that her maiden name was Mary Hampton. The name Mary Hampton is not found upon any of the Cherokee rolls. It appears that the applicant was born in the Choctaw Nation, and that she has lived there continuously with the exception of three years. Final judgment as to her application for enrollment as a citizen of the Cherokee Nation will be postponed and she will be placed upon that is known as a doubtful card.

The undersigned, being first duly sworn, states that he is stenographer to the Commission to the Five Civilized Tribes, is correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Brown McDonald.

Subscribed and sworn to before me this 11th day of September, 1900.

C. H. Breckinridge,

Commissioner.

The undersigned, being sworn, states [illegible] to the Commission to the Five Civilized Tribes, that the foregoing is a full, true and correct [illegible] transcript of the proceedings in the matter of the application of May Cannon for enrollment as a citizen of the Choctaw Nation, reported by Brown McDonald, stenographer, with the exception of the findings in the case, which have this [illegible] been revised by the Commission.

C. H. Breckinridge

Subscribed and sworn to before me this [illegible] day of [illegible]

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 13 1901

D - 964.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 18, 1901.

Supplementary testimony in the matter of the application of Zoe May Cannon. Zoe May Cannon, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A May Cannon.
Q How old are you? A I will be 19 next birthday.
Q What is your postoffice? A Caddo.
Q Are you the identical May Cannon that applied to be enroled as a Cherokee citizen on the 22nd day of August, at Fort Gibson? A Yes sir.

Interrogated by Mr. McPherson, attorney for applicant:
Q Where did you live in 1899? A I left school in 1899.
Q Where? A Orphans' Home, Cherokee Nation, Saline; I left there in December, 1899.
Q Where was that school situated, in what nation? A In the Cherokee Nation.
Q What relation are you to Fannie Hampton? A A sister.
Q What relation are you to Eliza Ward? A A niece, her sister's child.
Q How long did you remain at that school? A Three years.
Q Is your sister a recognized Cherokee Indian? A Yes sir.

Commissioner:
Q In your former examination on the 22nd day of August, 1900, when you applied before the Commission, the testimony shows that you went to the Orphan Home two or three years, and came back in 1889? A Yes sir.
Q That's a mistake, is it? A Yes sir.
Q It should be 1899? A Yes sir. I went to the Orphan Home in 1895.
Q And returned in 1899? A Yes sir.
Q Your statement made in the testimony that you came home in '89 was a mistake? A Yes sir.
Q It should be 1899? A Yes sir.

By J. L. Baugh, representative of the Cherokee Nation:
Q Have you any property in the Cherokee Nation? A I am heir to a place here. I have one-third interest in it.

Commissioner-
Q Your name is May Cannon now? A Yes sir.
Q Are you married? A Yes sir.
Q Your maiden name was Hampton? A Yes sir.
Q What is your husband's name? A Will Cannon.
Q What is the name of your father? A William B. Hampton.
Q What is the name of your mother? A Nancy B.
Q You applied twice, have you, - you appear to have applied at Tahlequah? A Yes sir.
Q And then you applied before that at Fort Gibson? A Yes sir.
Q What is your proper name? A Zoe May Cannon, but I don't go by that name.
Q We want to know what your name is? A Zoe May Cannon.

Commissioner- It appears that the applicant was enrolled at Fort Gibson, on the 22nd of August, 1900, D-Card No. 187, and that she again presented herself for enrollment at Tahlequah, and was enrolled on D-Card No. 964. It is ordered that the enrollment made at Fort Gibson, Card No.187 be cancelled.

Witness, Eliza Ward, being sworn by Commissioner Needles, testified as follows:

Q What is your name? A Eliza Ward.

Q What is your age? A 51.
Q What is your postoffice? A Caddo.
Q You know Zoe May Cannon? A Yes sir.

Interrogated by Mr. McPherson, attorney for applicant-
Q What relation is she to you? A My niece, sister's daughter.
Q Are you an Indian? A Yes sir.
Q What tribe? A Cherokee.
Q Were you the guardian of Zoe May Cannon? A Yes sir.
Q About what time were you appointed? A It was about '92 or '93.
Q About how old was Zoe May Cannon at that time? A She was about 11 or 12 years old; I don't remember exactly.
Q Where were you living at that time? A Tahlequah.
Q Cherokee Nation? A Yes sir.
Q Did you remove from the Cherokee Nation? A Yes sir.
Q After that time? A Yes sir.
Q About what age was Zoe May Cannon, or Hampton she was at that time, when you removed from the Cherokee Nation? A When I moved to the Cherokee Nation back, she was about the same; we moved back in the same year.
Q About how old was she? A 10 or 11 years old.
Q Did you take her with your family? A Yessir.
Q Was she living ————————? A Right at the time I went back, she went home with my aunt that lived on Canadian.
Q What Nation? A Cherokee Nation, and she staid with her nearly two years, and then she come to me again.
Q And then she must have gone to you when she was about 13 or 14 years old? A Yes sir.
Q How long did she remain with you? A About a few weeks.
Q In the Choctaw Nation? A Yes sir. I had her sister with me. She went to school.
Q Were you her guardian also? A Yes sir.
Q How long did she stay in the Choctaw Nation? A A few weeks.
Q Where did she go then? A To the Orphan Home, Cherokee Nation.
Q Where? A Saline.
Q How long did she remain there? A Three years.
Q About what time did she go there? A It was in '95, I think, as well as I remember.
Q She lived only a weeks in the Choctaw Nation at that time? A Yes sir, at that time.
Q Whom did she live with before you were appointed her guardian? A With her grandma in the Cherokee Nation.
Q What is her grandmother's name? A Martha Beck.
Q How did she come to live with you? A Her father gave her to me after her grandmother's death.
Q After her grandmother died, she went to live with you? A Yes sir.
Q And you were appointed her guardian? A Yes sir.
Q Where do you live? A In the Choctaw Nation.
Q You know anything about a farm in which Zoe May Cannon is part owner? A Yes sir.
Q Where is it situated? A About six miles north or little west of Tahlequah, Cherokee Nation.
Q How did she come in possession of that? A After my mother's death. It was my mother's farm.
Q Your mother was Martha Beck? A Yes sir.
Q Then Zoe May Cannon is the daughter of your sister? A Yes sir.

I, the undersigned, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes, reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of my stenographic notes in said case.

Subscribed and sworn to before me this [illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAR 12 1901

ACTING CHAIRMAN

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BROCKINRIDGE,

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application for enrollment as a citizen of the Cherokee Nation of Zoe M. Cannon.

Attorney for Applicant.

Muskogee, Indian Territory,

March 18th, 1901.

Cherokee #2964.

D964

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 27 1902

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I, T. O. Gibson, do hereby certify that the above and foregoing is a full, true and correct copy of the original papers now on file in this office.

Witness my official signature and the seal of the Commission of the Five Civilized Tribes, this 27th day of March, 1902.

Supl.-C.D.#964.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 20, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of ZOE M. CANNON, ET AL., as citizens of the Cherokee Nation:

The applicant was notified by registered letter February 25, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 13th day of March, 1902. On said day the case was continued by agreement with the representative of the Cherokee Nation until the 20th day of March, 1902. Applicant this day, to-wit: the 20th day of March, 1902, appears in person and by her Attorney, S. F. Parks, Vinita, I.T. Mr. W. W. Hastings, Cherokee Representative, present.

ZOE MAY CANNON, the applicant, being duly sworn, testified as follows:

MR. PARKS:

Q What is your name? A Zoe May Cannon.
Q What was your maiden name? A Zoe Hampton.
Q What is your husband's name? A William L. Cannon.
Q Where did you marry him? A Caddo.
Q What Nation? A Choctaw.
Q How long ago? A Be two years ago next July.
Q Where do you live now? A In the Canadian District.
Q Have you a farm down there? A Yes, sir.
Q Well, how long after your marriage to this man was it until you came back to the Cherokee Nation? A I came back the last of December.
Q Did you own any land down there, any place down there?
A No, sir.
Q Were you renting? A Yes, sir.
Q Your husband was renting? A Yes, sir.
Q Did you have any property here? A Nothing only just interest in a place.
Q Who carried you down there? A Aunt Eliza.
Q Eliza who? A Ward.
Q What relation was she? A Aunt, my mother's sister.
Q She was your aunt? A Yes, sir.
Q Was she your guardian? A Yes, sir.
Q Was she a citizen of that Nation? A She was a Cherokee.
Q Is she a citizen of the Choctaw Nation? A She married a Choctaw.

MR. HASTINGS:

Q What is your age? A About 20 next May.
Q When were you married? A Last July, be two years this July, was married in 1900.
Q You got married down there? A Yes, sir.
Q Cherokee Nation? A Yes, sir.
Q [illegible] you had no improvements in the Cherokee Nation? A Yes, sir, I had a place.
Q Did you sell your place, or how? A [illegible]
Q [illegible] A [illegible]

Q Where were you? A Choctaw Nation.
Q You were readmitted here in February, 1888, according to this records; that is true is it? A Yes, sir.
Q And you first come up here since you married to make it your home? A Yes, sir, I have lived here several years; I lived with my grandmother.
Q What was her name? A Martha Beck.
Q When did you live with her? A I don't know what year it was.
Q What year did you come up here? A That is what I don't know.
Q Where did your mother die? A She died in the Choctaw Nation.
Q When? A Been dead about 15 years.
Q Was she dead when you were admitted to citizenship?
A Yes, sir.
Q Where is your father? A I haven't saw him in about nine years.
Q Well, did you live with him after your mother's death?
A Yes, sir.
Q Did he marry again? A No, sir.
Q Where is he living? A He is at Galveston.
Q Did you ever go down to Texas with him? A No, sir.
Q You never lived outside of the Indian Territory?
A No, sir.
Q But you lived in the Choctaw Nation? A I lived with my Aunt, guardian in the Choctaw Nation, she was my aunt.
Q You lived with your grandmother up here?
A I lived with her until my mother died.
Q When did she die? A She died about the year 1890.
Q Now, how long did you live with your grandmother? A I lived with her about, until my mother's death.
Q Was that a year, one or 40, your best judgment; you think you stayed with her one year or two years? A Oh, yes, I stayed with her nine or ten years.
Q Were you living here when you were admitted to citizenship?
A Yes, sir.
Q And you continued to live here until about 1890? A Yes, sir.
Q That was when your grandmother died? A Yes, sir.
Q And you went to the Choctaw Nation and lived there with your aunt?
A Yes; I went to the school to the Orphans Home, and we lived out here in Canadian district with an old lady three years.

MR. PARKS:

Q Did you say that you went to the Choctaw Nation immediately after your grandmother died? A No, sir, I didn't go immediately.
Q Where did you go then? A I stayed with Mr. Jenkins, he lived on her place.
Q You say you went to school at the Orphan Asylum? A Yes, sir.
Q How long did you go there? A Nearly three terms.

S. F. PARKS? being duly sworn, testified as follows on behalf of applicant:

My name is S. F. Parks; 30 years old; live at Vinita. I am acquainted with her applicant and her sister, Fannie Hampton, pointing at the girl sitting behind me. I have known them since about the year 1890. I know these girls about the time they come to the Cherokee Nation. I taught school in the neighborhood in which their grandmother, Mrs. Beck, resided and there she died. I was at the home of these girls after their grandmother died. The applicant and her sister went to school to me at a public school in the Cherokee Nation as Cherokee girls. The sister of the applicant was in school at the Cherokee Orphan Asylum some two years ago, when I was Principal of that School. I knew their aunt with whom they lived. I was

Commission: The attorney for the applicant and representative of the Cherokee Nation present submit the case. The same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant requests and will be granted ten days in which to file a brief of the case, one copy with the Commission and one copy with the representative of the Cherokee Nation.

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I, J. G. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings had this day in the above application, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. G. Rosson

DEPARTMENT OF THE INTERIOR
RECEIVED
JUL 2 1917
CHEROKEE

Laws Cherokee Nation Extra Session Feby. 1888

Senate Bill No. 17.

An Act admitting parties therein named to Cherokee citizenship

Be it enacted by the National Concil:

That the following named parties to-wit: Sarah Smith, Fannie E.Hampton, Fredreck Beck, Oceola Allen, Zoe May Hampton, grand children of Mrs. Martha Beck as Cherokees by blood, also, Fannie Eliza Hampton, also the family of Richard Riley Keyes # ##be and they are hereby readmitted to all the rights and privileges of Cherokee citizenship by blood.

Passed the Senate January 28th. 1888

Lacy Hawkins, President Senate.

M.Daniels, Clerk Senate.

Concurred in by the House this Feb. 1st. 1888.

Robert Meigs

Speaker Council

R.B.Cheate

Clerk Council

Approved

Feb. 1st. 1888

J.B.Mayes

Principal Chief.

Executive Department, Cherokee Nation.

Tahlequah, Indian Territory.

Dec. 12, 1900

I hereby certify that the above and foregoing is a true and correct copy of the record now on file in this office, so far as the parties herein named are concerned.

(SEAL)

J. T. Parks,

Executive Secretary.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify on my official oath that the foregoing is a true and complete copy of the certified copy now on file in the office of the Commission.

M A R R I A G E L I C E N S E .

No. 765.

UNITED STATES OF AMERICA,)
The Indian Territory,) SS.
Central District.)

To any Person authorized by Law to Solemnize Marriage--Greeting:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the BANS OF MATRIMONY between Mr. William L. Cannon, of Caddo in the Indian Territory, aged 25 years, and Miss May Hampton of Caddo in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS My hand and official seal, this 27 day of June A.D.1900

E. J. Fannin
Clerk of the United States Court.

Don J. Folsom
Deputy.

CERTIFICATE OF MARRIAGE.

United States of America,) I, Wm. H. Deweese
Indian Territory,)SSa Gospel Minister
Central District.)

do hereby CERTIFY, that on the First day of July A. D. 1900 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANS OF MATRIMONY between the parties therein named.

Witness my hand this First day of July A.D. 1900

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book B, Page 54

(STAMP) Wm. H. Deweese
a Minister.

No. 765

CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA,)
The Indian Territory,) SCT
Central District.)

I, E. J. FANNIN, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. Wm. L. Cannon and Miss May Hampton was filed in my office in said Territory and District the 5 day of July A.D. 1900 and duly recorded in Book one of Marriage Record, Page 383.

WITNESS my hand and seal of said Court, at Atoka this 5 day of July A.D. 1900

E. J. FANNIN,
Clerk.

(SEAL)
By D. J. Folsom, Deputy.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify on my official oath that the foregoing is a true and complete copy of the original now on file in the office of the Commission.

Maud Cotner
Stenographer.

Muskogee, I.T., June 6, 1902.

D964

In the matter of the applicatio of Zoe M. Cannon for the enrollment of herself.

- - - - : - - -

Brief and Argument.

- - - - : - - - -

...E CIVILIZED TRIBES
RECEIVED

S. F. Parks,

Attorney for applicant.

Before the Commission to the Five Civilized Tribes, Muscogee, Indian Territory.

In the matter of the application of Zoe F. Cannon, for the enrollment of herself.

Statement of Facts.

The testimony in this case shows that the applicant, Zoe F. Cannon, whose maiden name was Hampton, was admitted to citizenship in the Cherokee Nation in Febray 1888, by the National Council of the Cherokee Nation; that, at the time of the admission of the applicant, she was residing in the Cherokee Nation with her grandmother, Mrs. Beck; that thereafter her grandmother, Mrs. Beck died in the Cherokee Nation leaving the applicant with her aunt, Mrs. Martha Ward; that thereafter Mrs. Martha Ward, took out letters of guardianship for this applicant and her sister, Fannie Hampton, in the Cherokee Court in Tahlequah District under Judge Shirley, the then district Judge of Tahlequah District; that thereafter the applicant was placed in the Cherokee Orphan Asylum, where she remained some time; that the guardian of the applicant Mrs. Martha Ward removed by the Choctaw Nation and that after her removal, the applicant made that her home while not in school; that before the applicant reached her majority, she married and returned to the Cherokee Nation, where she now resides.

A R G U M E N T.

The contention of the applicant is that she is a Cherokee by blood and has heretofore been admitted to all the rights and privileges as such by the Cherokee Council; that at the time of her admission, she was a minor and an orphan and that as such she is entitled to enrollment by the Commission.

The applicant contends that neither she nor her guardian, during her minority, could change her domicile after it has been fixed.

Van Natre vs Sankey, 39 American State Reports. Page 196. "Domicile"- An infant cannot of its own volition change its domicile."

The Cherokee Nation in the passage of its laws, has always respected and upheld the rights of minors and Orphans and in the passage of laws, has always made a proviso in favor of this class of citizens.

"Senate Bill # 34.

An Act requiring persons readmitted to citizenship in the Cherokee Nation to locate within six months."

Be it enacted by the National Council that all persons, who have been or may be hereafter readmitted to citizenship in the Cherokee Nation, are hereby requir d to permanently locate within the limits of the Cherokee Nation within six months after the passage of this act, or from the date of readmission or no rights whatever shall accrue to such persons by reason of such readmission, provided that nothing in this Act shall bar minors and orphans."

This applicant, during her minority, was carried to the Choctaw Nation by her guardian, where she married, but the testimony shows that before she reached her majority, she returned to the Cherokee Nation where she now resides.

Her effects- an interest in an improvement in the Cherokee Nation- all she possessed, remained in the Cherokee Nation.

Respectfully submitted.

S. D. Parks

Attorney for applicant.

Cherokee D 964

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Zoe May Cannon for enrollment of herself and child, Leonard L. Cannon, as citizens by blood of the Cherokee Nation:

D E C I S I O N .

The record in this case shows that on December 13, 1900, Zoe May Cannon appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment of herself as a citizen by blood of the Cherokee Nation; Further proceedings in the matter of said application were had at Muskogee, Indian Territory, March 12, 1901; further proceedings in the matter of said application were had at Muskogee, Indian Territory, March 13, 1902; also further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 20, 1902.

The evidence shows that Zoe May Cannon was readmitted to citizenship as a citizen by blood of the Cherokee Nation on February 1, 1888, by the duly constituted authorities of said nation; that at the date of said readmission and until 1890, the said Zoe May Cannon was residing in the Cherokee Nation; that in 1890 she went to the Choctaw Nation with her aunt; that in 1895 she returned to the Cherokee Nation, entering the Orphans' Home at Saline in said nation, where she was residing on June 28, 1898, and until sometime in the year 1899; that in 1899 she again went to the Choctaw Nation, where she has resided since that time and up to and including the date of this application. The said Zoe May Cannon is duly identified upon the Cherokee Census roll of 1896.

The evidence further shows that the said Zoe May Cannon was lawfully married on July 1, 1900, to William L. Cannon, a white man; that Leonard L. Cannon is the child of the said Zoe May Cannon and William L. Cannon and was born to them since the date of this application, on April 18, 1901, and is duly identified by birth affidavits on file with the Commission; that said Leonard L. Cannon was born and has always resided in the Choctaw Nation up to and including the date of the filing of the affidavits of his birth.

It is, therefore, the opinion of this Commission that the said Zoe May Cannon and Leonard L. Cannon should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
AUXILIARY CHEROKEE LAND OFFICE.

Muskogee, Indian Territory, February 28, 1905.

In the matter of the allotment of land to Zoe M. Cannon and her minor child, Leonard L. Cannon, Cherokee Card No. 9804, Approved Roll Nos. 22033 and 22034.

William L. Vannon, non-citizen husband and father, being sworn testified as follows:

Examinatio n by the Commission:

Q What is your name? A William L. Cannon.
Q How old are you? A 30 years old.
Q What is your postoffice? A Checotah, Indian Territory.
Q Was itone time Caddo, Indian Territory? A Yes sir.
Q Do you make any claims to Cherokee citizenship? A No sir.
Q What is the name of your wife? A Zoe M. Cannoe.
Q What is the name of her father? A William Hampton.
Q What is the name of her mother? A Her mother has been dead a long time. I think her name was Nancy.
Q What is the name of your child? A Leonard L. Cannon.
Q Are they living at this time? A Yes sir.
Q Living with you? A Yes sir.
Q What is your object in appearing at the Land Office today?
A To designate lands for an allotment to my wife and child.
Q Have you any written authority from your wife to make these designations? A Yes sir.

Witness offers Power of Attorney executed by Zoe May Cannon on February 22, 1905, wherein she appoints William L. Cannon her husband her true and lawful attorney to select lands in the Cherokee Nation for herself and minor child, Leonard L. Cannon .

Q Is the Zoe May Cannon who executed this Power of Attorney identical with the Zoe M. who was enrolled by the Commission to the Five Civilized Tribes as a citizen of the Nation? A Yes sir.
Q State the reasons why your wife does not makes personal appearance and selection? A The reason why is that we have got a young child that we did not want to take out and expose.
Q Are there any improvements on the lands you desire allotted to your wife and child? A Yes sir.
Q Is it part of your home place? A Yes sir.
Q Do the lands lay west of the Grand River? A Yes sir, in the Canandian District.

WITNESS EXCUSED.

Blanch Ashton upon oath states that as stenographer to the Commission to the five Civilized Tribes she accurately recorded the testimony in the above entitled cause and that the foregoing is a correct transcript of her stenographic notes thereof.

Blanch Ashton

Subscribed and sworn to before me this 28th day of February, 1905.

Notary Public.

FILED

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 25, 1902.

Mrs. Zoe M. Cannon,

Cadde, Indian Territory,

Madam:-

You are hereby notified that the application of yourself amdone minor child

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 13 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Copy to Charles E. McPherson,
Cadde, I.T.
Cherokee D-964
Regis Off.

Acting Chairman.
Commissioner in Charge.

Cherokee 3-344

Muskogee, Indian Territory, March 14, 1902.

Mr. Charles N. O'Theirren,
Attorney at Law,
Caddo, Indian Territory.

Dear Sir:-

The Commission is in receipt of your letter of March 10, requesting that the date set for the final hearing of the application for enrollment as citizens of the Cherokee Nation of Zee M. Cannon et al, be continued to March 20, 1902.

In reply, you are advised that as you request the hearing of this application has been continued until March 20.

Yours truly,

Commissioner in Charge.

Cherokee D-964
Cherokee D-306

Muskogee, Indian Territory, March 24, 1902.

S. F. Parks, Esq.,
Attorney at Law,
Vinita, Indian Territory.

Dear Sir:-

The Commission is in receipt of brief on behalf of applicants in the cases of Zoe M. Cannon, Cherokee D-964, and Fannie Kempton, Cherokee D-306.

The same is herewith returned to you and you are requested to file separate brief in each case.

Yours truly,

Commissioner in Charge.

Enc. B-32.

COPY.

Cherokee D 964.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Zoe May Cannon for the enrollment of herself and her minor child, Leonard L. Cannon, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 121.

COPY. Cherokee D - 964.

Muskogee, Indian Territory, October 25, 1902.

S. F. Parks,
Attorney for Zoe May Cammen et al,
Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Zoe May Cammen for the enrollment of herself and her minor child, Leonard L. Cammen, as citizens by blood of the Cherokee Nation.

Respectfully,

T. R. Breckinridge
Commissioner.
Acting Chairman.

Enclosure C. No. 41.
Register.

COPY.

Cherokee 5 - 264.

Muskogee, Indian Territory, October 25, 1902.

Lee May Cannon,

Caddo, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself and your minor child, Leonard L. Cannon, as citizens by blood of the Cherokee Nation.

Respectfully,

T. Brecksinridge

Commissioner to the Five Civilized Tribes.
Acting Chairman.

Enclosure C. No. 40.

Register.

2167

May Cannon

This card was cancelled Mar 12, 1901; duplicate enrollment of Cher. 2964

Cher 9805

Gilbert S. Thompson

Transferred from D991

Cher 9805

as to the marriage of his parents.

BY COMMISSION: Claude A. Thompson entered before the Commission on the 11th day of May, 1900, and made application for the enrollment of himself and brother, Hilbert S. Thompson, as citizens by blood of the Cherokee Nation. The records taken at that time were introduced to prove that Claude A. Thompson was born [illegible] to Grant Thompson and Cynthia Ann Thompson, nee [illegible], who were enrolled as citizens by blood of the Cherokee Nation. Testimony was introduced to prove that Grant Thompson died [illegible] and that Cynthia Ann Thompson married [illegible] Thompson, who is also dead. The applicant, Claude A. Thompson, was born [illegible] and is now about 19 years of age. It appears that the Commission to the Five Civilized Tribes, in a decision rendered [illegible] 1907, held that the marriage of Cynthia Ann Thompson to [illegible] Thompson was void and that the applicant herein was not entitled to enrollment as a citizen by blood of the Cherokee Nation. Counsel for applicant contends that the decision of the Commission to the Five Civilized Tribes is not binding upon this applicant, and that he is entitled to enrollment as a citizen by blood of the Cherokee Nation. The records show that Grant Thompson died [illegible] 1894, and that Cynthia Ann Thompson married [illegible] Thompson [illegible] 1897, and that Claude A. Thompson was born [illegible] 1900. It is the opinion of this Commissioner that the applicant herein is not entitled to enrollment as a citizen by blood of the Cherokee Nation, and his application for such enrollment will be denied.

N 991

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory,
May 11th, 1900.

In the matter of the application of Claud A. Thompson for enrollment as a citizen of the Cherokee Nation; being sworn and examined by Commissioner McKennon he testifies as follows:

Q What is your name? A Claud A. Thompson. G. T. Thompson is my uncle.
Q Were you enrolled in 1880? A No sir.
Q What is your age now? A Twenty-six the 22nd day of next November.
Q When did you come to the Territory? A We came here in the spring of 1883, I think it was.
Q From where? A From Texas.
Q How long did you live here? A Ever since.
Q You have lived here in the Cherokee Nation? A Yes sir, except what time I have been at school; I just got back about two months ago. I was in the army seven months, and was in school part of the time, and vacation I spent here as a rule, and staid over there; I was a resident in the Cherokee Nation; I had a home there all the while and have got it there now.
Q Have you any family? A No sir. I am guardian for a minor brother.
Q What is his name? A Gilbert S. Thompson. He is teaching school at Afton. He lives at Tahlequah.
Q How long has he lived here? A He has been here ever since we came here in the spring of 1883.
Q How old is your brother? A He is about eighteen I think.
Q Was your mother a Cherokee? A She was a white woman.
Q Have you any proof of the marriage of your father and mother?
A No sir, my father was a citizen.
Q Is there anyone here that knows that they lived together as husband and wife? A Yes sir, Mr. Hastings knows it.

W. W. Hastings being sworn and examined by Commissioner McKennon testifies as follows:

Q What is your name? A W. W. Hastings.
Q How old are you? A Thirty three.
Q Did you know James A. Thompson? A Yes sir.
Q Did you knowhis wife, Frances? A Yes sir.
Q She was a white woman? A Yes sir.
Q He was a Cherokee citizen? A Yes sir.
Q Do you know that they lived together as husband and wife, and were so recognized where they lived in the Cherokee Nation?
A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. D. Green

Retta Chick, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she made the above copy, and that the same is a true and complete copy of the original.

Retta Chick

Subscribed and sworn to before me this 8th day of August, 1900.

Bruce Cantrill

"R"
Cherokee case No. 18.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 15, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the application of Claude A. Thompson for enrollment of himself and brother as Cherokee citizens by blood.

Appearances:
Applicant in person;
Mr. Baugh, for the Cherokee Nation.

CLAUDE A. THOMPSON, being sworn and examined testified as follows:
BY COMMISSION:
Q What is your name? A Claude A. Thompson.
Q How old are you? A I am 27, November 22, 1901.
Q What is your post-office address? A Muskogee.
Q You appeared before the Commission in May 1900 and made application for the enrollment of yourself and brother, Gilbert S. Thompson?
A Yes sir.
Q What is the name of your father? A James Allen Thompson.
Q Is he living or dead? A Dead.
Q Was he a Cherokee or a white man? A He was a Cherokee.
Q What is the name of your mother? A Frances Treadwell Thompson.
Q Is she living? A Dead.
Q Was she a Cherokee? A No sir, she was not.
Q Are you and your brother Gilbert S. full brothers? A Yes sir.
Q Same father and mother? A Yes sir.
Q Have you always resided in the Cherokee Nation? A No not always.
Q Where were you born? A In Angelina County, Texas.
Q When did you first come to the Cherokee Nation? A I think it was in the spring of '82.
Q Are you admitted to citizenship in the Cherokee Nation? A By an act of the National Council? A Not that I know of; we never found any record of admission; my father was admitted in '83; but the record don't show that the children were admitted, so far as I know.
Q Was your grandfather living at that time? A No sir.
Q What was your grand-father's name, that is, your father's father?
A I think his name was Mathew Thompson.
Q Was your father sometimes known as James Allen Thompson Jr?
A Not that I know of, no.
Q Did you ever have a brother by that name? A No, no James Allen Jr. brother of mine. I think it was in '83 that my father was re-admitted.

BY COMMISSION: Applicant states that he was admitted to citizenship by the Cherokee Commission on citizenship some 19 years ago. It appears from the records of the Cherokee Nation on citizenship docket from 1880 to 1884, inclusive, page 160, that the applicant's father, James Allen Thompson, was admitted to citizenship on the 19th day of January, 1883, by the Cherokee Commission on Citizenship.

Q Were you a minor when your father was admitted to citizenship?
A Yes sir.
Q Were you living in the Cherokee Nation at that time? A Yes sir.
Q Have you resided here continuously since that time? A Yes sir.
Q Have you always been recognized as a citizen since then?
A Yes sir.
Q Do you own any property in the Cherokee Nation? A Yes sir.
Q Has your brother, Gilbert S. Thompson, always resided here since that time? A Yes sir.

Q What is his post-office address at present? A Kansas City, Missouri. Tahlequah is his home; he is in school in Kansas City now.
Q He is still a minor? A I believe he will be of age in October I am nor certian about that; I am not positive, but I think his birthday is in October.
Q Now you have not any evidence as to the marriage of your father and mother have you, any record evidence? A No sir, I have not; the court records of Angelina County, Texas show that now.

1896 census roll of citizens of the Cherokee Nation examined and applicant identified on
page 1257 No. 3460 Claude E. Thompson, Tahlequah District;
1894 pay roll of citizens of the Cherokee Nation examined and applicant identified on
page 1162 No. 3264 Claude Thompson, Tahlequah District.

BY COMMISSION: Claude A. Thompson appeared before the Commission on the 11th day of May, 1900, and made application for the enrollment of himself and brother, Gilbert S. Thompson, as citizens by blood of the Cherokee Nation. The record taken at that time was found to be incomplete, and said Claude A. Thompson was requested to again appear before the Commission, which he does this day, to give further testimony as regards his application. It appears from the records that his brother Gilbert S. Thompson appeared before the Commission again at Tahlequah, Indian Territory, on the 17th day of December, 1900, and made application for the enrollment of himself as a citizen by blood of the Cherokee Nation, hence his application will not be considered in connection with the application of Claude A. Thompson. It appears from the records of the Cherokee Nation that the applicant's father was admitted to citizenship on the 19th day of January, 1883, by an act of the Cherokee Commission on Citizenship. The applicant avers that he has resided in the Cherokee Nation continuously since that time. He is duly identified on the census roll of 1896 and on the Strip payment roll of 1894, and he will be listed for enrollment as a Cherokee by blood. He is also requested to file with the Commission proof as to the marriage of his parents..

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M. D. Green.

Subscribed and sworn to before me this January 15, 1902.

T. B. Needles, Commissioner.

Retta Chick, being sworn, states that as stenographer to the commission to the Five Civilized Tribes, she made the above copy, and that the same is a true and complete copy of the original.

Retta Chick

Subscribed and sworn to before me this 8th day of August, 1902.

Notary Public.

Dec 17 1900

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I T. December, 17th 1900.

In the matter of the application of Gilbert S. Thompson for enrollment as a Cherokee citizen, he being sworn before Commissioner Breckinridge testified as follows-

Q What is your name? A. Gilbert S. Thompson.
Q How old are you? A. 20.
Q What is your post office address? A. Tahlequah.
Q What district do you live in? A. Tahlequah
Q Who is it that you wish to have enrolled, just yourself? A. Yes sir.
Q Are you a Cherokee by blood? A. Yes sir.
Q Have you lived in the Cherokee Nation all your life? A. No sir.
Q How long have you lived in the Cherokee Nation? A. About 18 years I think.
Q Were you admitted to citizenship by the Cherokee Commission or Council
Q Yes sir My father was re-admitted.
Q About when was he re-admitted? A. My brother enrolled himself some days ago and the papers are in his case---James P. Thompson.
Q Give me the name of your father? A. James A. Thompson
Q Is he dead? A. Yes sir.
Q Give me the name of your mother? A. Frances E.
Q Is she dead? A. Yes sir.
Q Did your father bring you here some 18 years ago? A. Yes sir.
Q Was your mother living then? A. Yes sir.
Q Did she come with you? A. Yes sir.
Q Have you lived here ever since you came? A. Yes sir.
Q When was it that you came to the Cherokee Nation? A. I dont exactly remember the date.
Q Your brother James P. Thompson says he came here in 1888, did he come here later than you did? A. We came here the same time.

By By the Commission-

The testimony in the case of your brother #4571 shows that he exhibited a certificate of citizenship, but it does not show that he filed it.

1896 roll, p ge 1257 No. 3462, Gilbert L. Thompson, Tahlequah dist.

The applicant states that he was admitted to citizenship by the Cherokee Commission on citizenship some 18 years ago as well as he can recollect and that he has lived in the Cherokee Nation for the past 18 years. He is not able at the present time to supply his certificate of admission. He is identified on the roll of 1896 and he will now be listed for enrollment as a Cherokee by blood on a doubtful card to await official evidence of his admission to citizenship.

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Chas von Weise

Subscribed and sworn to before me this the 17th of December, 1900.

Commissioner.



Testimony of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 17 1900 1900.

Name Gilbert A. Thompson Tahlequah I.T.

District TAHLEQUAH, Year 1896 Page 257 No. 3462

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Evidence of admission to be supplied

9491

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DEC 17 1900

A. TING CHAIRMAN

160,

T R A N S C R I P T.

Office of commission on citizenship, Tahlequah, Cherokee Nation,
January, 10th, 1883.

James Allen Thompson, Jr,
No, 153.

Vs,

Cherokee Nation.

Boudinot and Butler,
Attys, for Plaintiffs.

Petition filed January 10th, 1883.

Submitted by claiment January 19th, 1883.

Submitted by Solicitor, January 19th, 1883.

And now on this the 20th, day of January, A.D. 1883, this cause comes on for final hearing and all the evidence produced in the case being carefully read and duly considered by the commission ; It is adjudged and determined by the commission on citizenship that the above named claiment, James Allen Thompson, ~~xxx~~ is a Cherokee by bleed and that he is entitled to all the rights and privileges of Cherokee citizenship in the Cherokee Nation and that he should be and is hereby admitted to the full and complete enjoyment of the same in all respects as a native born Cherokee.

Thos Tehee, President of Com.

Alex Wolf,
T.F.Thompson, } COMMISSIONERS.

D.W.C.Duncan,
Clerk of Commission.

Tahlequah, Cher.Nat.
December, 19-1900.

I, A.B.Cunningham, Assistant Executive Secretary of the Cherokee Nation do hereby certify that the above and foregoing is a true and correct transcript of page 160, of the Citizenship Docket for the year of 1883, said Docket now being a part of the records of this office.

In Testimony thereof, I herewith set my hand and affix the seal of the Cherokee Nation, the day and year above written. A.B. Cunningham

1664

Commissioner.

Approved.

If it is ordered that a copy be served upon the defendant, it will be necessary to prepare an order to that effect, and make the same returnable at such time as may be agreed upon by counsel, or fixed by the Court.

New York, May 11, 1900.

Yours, &c.,

Clerk No. D-887.

Cherokee D-991.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, I. T. August 8, 1902.

In the matter of the application for the enrollment of Gilbert S. Thompson as a citizen by blood of the Cherokee Nation.

O R D E R.

It appearing that Gilbert S. Thompson listed December 17, 1900, upon Cherokee Doubtful Card, D-991, was also listed on roll by this Commission as a citizen by blood of the Cherokee Nation on May 11, 1900, upon Cherokee card No. 18, It isordered that the said Gilbert S. Thompson be stricken from the application made for his enrollment on May 11, 1900, and that his name be transferred to Cherokee card, Field No. D-991.

It is further ordered that a copy of the testimony taken on May 11, 1900, be filed with and made a part of thereof in the application of December 17, 1900, for the enrollment of said Gilbert S. Thompson.

Commissioner.

Cherokee D-991.

FPT
6R

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Gilbert S. Thompson for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on December 17, 1900, Gilbert S. Thompson appeared before the Commission at Tahlequah, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation.

From an examination of the following records of the Cherokee Nation in possession of the Commission, it appears that the name of Gilbert Thompson is found thereon, viz:- The 1890 pay roll (Tahlequah District, page 983) and the orphan roll of the 1894 strip payment (Tahlequah District, page 6 #90).

The evidence shows that the applicant is identified as a native Cherokee on the 1896 Census Roll of the Cherokee Nation; that his father, a Cherokee by blood, was duly admitted to citizenship by the tribal authorities of said Nation in January 1883, as appears from a certified copy of said certificate of admission on file with this Commission; and that Gilbert S. Thompson was a minor at the time his father was admitted to citizenship.

It further appears from the evidence that the applicant removed to the Cherokee Nation in 1882, and has resided in said Nation continuously up to and including the date of the application herein.

It is therefore the opinion of this Commission that Gilbert S. Thompson should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898, (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 21 1900.

Chr 9805

In Re Death
of
Gilbert S. Thompson
Citizenship
Cherokee
O.K. Cert

Approved. [illegible]
Acting Commissioner

OCT 5 1907

DEPARTMENT OF THE INTERIOR
Commissioner to the Five Civilized Tribes

RECEIVED

JUL 11 1907

J. G. Wright,
Commissioner.

City of Muskogee

Office of the Mayor

Muskogee, Indian Territory, 1905

We the undersigned do swear that we knew Gilbert S. Thompson in his life time. that he died April 16. 1907 was unmarried and left nothing except his brothers Leander and James P. Thompson and that at the time of his death he was more than twenty one years of age.

R. D. Fish

H. Barlow Fish

Subscribed and sworn to before me this the 11th day of July 1907.

A. W. Fish Jr

Notary Public

My Commission Expires Dec. 4, 1910

COPY.

Cherokee D 991.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Gilbert S. Thompson for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 89.

COPY.

Cherokee 9 - 991.

Muskogee, Indian Territory, October 25, 1902.

Gilbert S. Thompson,

c/o Fite & Blakemore,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

T. Brecht

Acting Chairman.

Enclosure C. No. 21.

Register.

Cher 9806

William Sanders

Transferred from D980

Cher 9806

1748

Department of the Interior.
Commission to the Five Civilized Tribes.
Tahlequah, I. T., December 15, 1900.

In the matter of the application of John Sanders for the enrollment of himself, wife and children as Cherokee citizens; he being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A John Sanders.
Q How old are you? A About 39 years old.
Q What is your postoffice address? A Westville.
Q What district do you live in? A Goingsnake.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q Who do yuu want to enroll? A Five children, myself, and my wife; she is adopted.
Q What is her name? A Elizabeth.Mills was her maiden name.
Q Have you any certificate of marriage to her? A Yes sir.
Applicant presents certificate of marriage certifying that he was married on the 25th day of September, 1887, to one Elizabeth Mills, in the year 1887.
Q What are the names of your children? A William.
Q How old is William? A About 14 years old.
Q The name of the next one? A Callie.
Q How oldis Callie? A 12 years old.
Q The next one? A Polly M.
Q How old is she? A She's about eight years old.
Q Next one? A Mahala.
Q How old is she? A She's 6 years old.
Q Next one? A Nick.
Q How old is he? A 22 months old.
Q I notice by the dates you give you have been married 13 years, but have a child 14 years old? A Yes sir, that is correct. Me and my wife lived together two years before we were lawfully married, and then married her.
Q This oldest child was born before you were lawfully married?
A Yes sir.
Q You lived with her, did you? A Yes sir.
Q Are these children all living at this time? A Yes sir.
1880 roll; page 471, #1586, John Sanders, Goingsnake district
1896 roll; page 788, #1924, John Sanders, Goingsnake district
1896 roll; page 828, #179, Lizzie Sanders, Goingsnake district
1896 roll; page 788, #1925, William Sanders "
788, #1926, Callie Sanders "
788, #1927, Polly "
788, #1928, Nailey "
Q You always lived in the Cherokee Nation? A Yes sir.
Q You and your wife lived together since your marriage, continuously? A Yes sir.
Q These children all alive? A Yes sir.

Commissioner Needles-
The name of John Sanders appears upon the authenticated roll of 1880 as well as the Census roll of 1896 as a Cherokee citizen by blood. He makes satisfactory proof of marriage to his wife, Elizabeth Mills, a non citizen, in the year 1887. Her name is found upon the Census roll of 1896. The names of his children, William, Callie, Polly M. and Mahala, are found upon the Census roll of 1896.

2- J.S.

He makes satisfactory proof of birth as to Nick, a younger child, whose name does not appear upon the said rolls. All duly identified according to page and number of the roll as indicated in the testimony, and he makes satisfactory proof as to residence; consequently, the said John Sanders and his children, Sallie, Polly, Mahala, and Nick, will be duly listed for enrollment as Cherokee citizens by blood; His wife Elizabeth as a Cherokee citizen by intermarriage. It appears from the testimony that said John Sanders was married to his wife in the year 1887; that he lived with her two years before said marriage, during which time his oldest child, William, was born. By reason of thi fact, final judgment as to the enrollment of said William Sanders will be suspended, and his name will be placed upon a doubtful card.

R.G.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. G. Rothenberger

Subscribed and sworn to before me this 17th day of December, 1900.

Commissioner.

FILED
DEC 15 1900

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

DEC 15 1900

Date ... 1900.

Name ... Nicholas Ord Mc

District ... Year ... Page ... No. ...

Citizen by blood ... Mother's citizenship ...

Intermarried citizen ...

Married under what law ... Date of marriage ...

License ... Certificate ... Parents John Saunders Elizabeth Saunders

Wife's name ...

District ... Page ... No. ...

Citizen by blood ... Mother's citizenship ...

Intermarried citizen ...

Married under what law ... Date of marriage ...

License ... Certificate ...

Names of Children:

William Saunders	Dist. GOING SNAKE	Year 1896	Page 288	No. 1920	Age 14
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

I Born before marriage of parents, Case Dismissed for reason of awaiting definite instruction of Law in reference to that class of Children

D980

RECEIVED
APR 1 1902
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

R.

C. D-980.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 14, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of John Sanders for the enrollment of his child William Sanders as a citizen of the Cherokee nation.

The applicant was notified by registered letter February 26, 1902, that his application for the enrollment of his child William Sanders as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 14th day of March, 1902, and that on said date he might appear before the Commission, either in person or by attorney, when an opportunity would be given him to introduce any additional testimony affecting his application. The applicant having this day, to-wit: the 14th day of March, 1902, been called, and failing to respond, it is deemed that his case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Cherokee D-980.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of William Sanders as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on December 15, 1900, John Sanders appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment, among others, of hid child, William Sanders, as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 14, 1902. The other parties to this application are differently classified and are not embraced in this decision.

The evidence shows that the applicant is a son of John Sanders and Elizabeth Mills, and was born prior to their lawful marriage; that John Sanders, father of this applicant, is identified on the 1880 authenticated roll of the Cherokee Nation and on the Census Roll of 1896, as a Cherokee citizen by blood; that the said John Sanders and Elizabeth Mills, father and mother of this applicant, were lawfully married on September 25, 1897; that this applicant is identified on the 1896 Census Roll as a Cherokee citizen by blood.

The evidence further shows that John Sanders, father of the applicant, has lived in the Cherokee Nation all his life, and that since their marriage, he and his said wife have continuously resided together. The applicant being a minor, he is presumed to have resided since his birth with his father, nothing to the contrary appearing in the evidence.

Section 692 of the Compiled Laws of the Cherokee Nation provides - "that when a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, or proven to be his, shall thereby be legitimate".

It is therefore the opinion of this Commission that the said William Sanders should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898, (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

D980

DEPARTMENT
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 25, 1902.

Mr. John Sanders,

Westville, Indian Territory,

Sir:-

You are hereby notified that the application of William Sanders

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 14 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Chm Rec D-909
Register.

Yours truly,

Acting Chairman.
Commissioner in Charge.

COPY

Cherokee D 989.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of John Sanders for the enrollment of his minor child, William Sanders, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. C. No. 22.

COPY

Cherokee 2 990.

Muskogee, Indian Territory, October 27, 1902.

John Sanders,

Westville, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your minor child, William Sanders as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 25.

Cher 9807

Armindie Wilson

Cher 9807

"A"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 10 1901

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., DECEMBER 17th, 1900.

In the matter of the application of Armindie Wilson for enrollment as a citizen of the Cherokee Nation; said Wilson being sworn and examined by Commissioner Bredkinridge, testified as follows:

Q Give me your full name? A Armindie Wilson.
Q How old are you? A 21.
Q What is your post office? A Wauhillau.
Q In what district do you live? A Tahlequah.
Q Who is it you want to have enrolled, yourself? A Yes, sir.
Q Are you a Cherokee by blood? A Yes, sir
Q How long have you lived in the Cherokee Nation? A Nine years.
Q Came here in 1890? A Yes, sir.
Q You have lived here nearly ten years have you? A Yes, sir.
Q What ti me in 1890 did you come here? A March.
Q You have lived here ten years last March? A Yes, sir, that's right.
Q Were you admitted to citizenship by the Cherokee Commission? A Yes, sir.
Q Give me the name of your father? A I could not tell you that.
Q Give me the name of your mother? A Sarah Brackett.
Q Is your mother alive? A Yes, sir.
Q Your father is dead is not he? A Yes, sir.
Q And you have married? A Yes, sir.
Q Have you got a certificate of your marriage? A Nothing more than the Minister.
Q What is the name of your husband? A John H. Wilson.

Com'r:--The applicant presents a certificate showing that on the 19th of October, 1899, she was married to John H. Wilson; the ceremony being performed by the Rev. J. A. Orr. This is filed herewith.

Q Is your husband a white man? A Yes, sir.

Com'r:--The applicant presents a certificate showing that on the 16th of August, 1889, certain persons were admitted to citizenship by the Cherokee Commission on Citizenship, and among them appears the name of Aminda Bracket at that time ten years of age.

Q That is your name is it? A Yes, sir.

The certificate requires that the beneficiary shall be a bona fide citizen of the Cherokee Nation within one year of the date of the passage of the certificate and that the document shall not be delivered to the beneficiary until they locate within the limits of the Cherokee Nation. This is filed herewith.

Q You have lived here then ever since March, 1890? A Yes, sir.

1896 Roll; page 1134, #84, Arminda Bracket, Tahlequah.

Com'r Breckinridge:--The applicant is identified on the roll of 1896 as a native Cherokee. She is shown to have been admitted to citizenship by the Cherokee Commission on Citizenship in October, 1889. She states that she came to the Cherokee Nation in March of the following year, which is within the limits required by her certificate of admission which certificate is filed herewith, and that she has lived in the Cherokee Nation ever since. Her change of name by marriage is established by the certificate of marriage filed herewith, and she will now be listed for enrollment as a Cherokee by blood, but upon a doubtful card because of a protest made by the Representatives of the Cherokee Nation respecting the proceedings of admission of all the members of this family.

---oooOOOooo---

Armindie Wilson--2.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 10th day of January, 1901.

Commissioner

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 17 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

(W) Wife's name Armindie Wilson Wauhillau Jr.

District TAHLEQUAH. Year 1896 Page 1124 No. 84

Citizen by blood full Mother's citizenship

Intermarried citizen

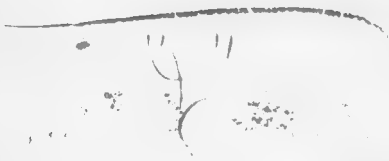
Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
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	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

On 1896 roll as Arminda Bracket



DEC 17 1900

Certificate of Admission to Cherokee Citizenship.

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION.

To All Whom it May Concern—GREETING:

This is to Certify, That the following named, to-wit: Sarah Brackett aged Thirty nine years. Arminda Brackett, aged Ten years.

did, pursuant to the provisions of an Act of the National Council of the Cherokee Nation, approved December 8th, 1886, entitled "*An Act providing for the appointment of a Commission to try, and determine, applications for Cherokee Citizenship,*" make such application to and before said "Commission" on the 4th day of August 188 7; that the proof submitted by the above named Applicants in support of the said application has been found, and is hereby declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of Section Seventh of said Act of the National Council and of the amendment thereto, dated February 7th, 1887, and that by virtue of such finding of fact by the Commission, and in conformity with the Fourteenth Section of said Act, the above named persons (applicants for citizenship) are, from this the date of said finding and decision of the Commission as announced and recorded, re-admitted by the National Council, as provided in said Fourteenth Section, to the rights and privileges of Cherokee citizenship under Section 2, Article I. of the Constitution of the Cherokee Nation upon the terms and conditions set forth in the Act of December 5th, 1888, entitled "*An Act Creating a Commission on Citizenship,*" *to-wit:*

"That all persons to whom Certificates of Citizenship shall be issued by the decree of the Commission created by this Act, shall be required as a condition precedent to the delivery of said certificates to return to, and permanently locate within the limits of the Cherokee Nation, and it shall be further the duty of all such persons to enroll their names, with the names of their families (if any such), at the date of their arrival within the limits of the Nation, in a book to be kept for that purpose in the office of the Principal Chief, and no Certificate of Citizenship issued by said Commission shall entitle an applicant for admission into the Nation for (not) a longer period than one year from its date, who shall fail to become a *bona fide* citizen within that period."

And this certificate of the said decision of the Commission and of re-admission by Council is made and furnished to the said persons accordingly.

In Witness Whereof, I hereunto sign my name, as Chairman of the Commission, on this the Sixteenth day of August 188 9

Will. T. Rob
Chairman Com. on Citizenship.

Attest:
D. W. Milligan
Asst Clerk Com. on Citizenship.
Approved and ordered

J. B. Mayes
Secretary.

DEPARTMENT OF
COMMISSIONER TO THE
UNITED
APPLICATION

R.

C. D-1000.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 14, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Amandie Wilson for the enrollment of herself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 26, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, I. T., on the 14th day of March, 1902, and that on said date she might appear before the Commission, either in person or by attorney, when an opportunity would be given her to introduce any additional testimony affecting her application. Receipt has been acknowledged of the Commission's letter, and the applicant having this day, to-wit: the 14th day of March, 1902, been called, and failing to respond, it is deemed that her case is completed and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

/ Wm Hutchinson

Cherokee D-1000.

905
615

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Armindie Wilson for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on December 17, 1900, Armindie Wilson appeared before the Commission at Tahlequah, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 14, 1902.

It appears from the records of the Cherokee Nation in possession of this Commission that the applicant and her mother, Sarah Brackett, were readmitted to citizenship in the Cherokee Nation by the duly constituted tribal authorities of said Nation on August 16, 1889, upon condition that they should return to and permanently locate in said Nation within one year from the date of such readmission, (Record "B" of the Commission on Citizenship of the Cherokee Nation, page 381). It further appears from the evidence that the applicant did return to and permanently locate in the Cherokee Nation in March 1890.

The applicant is identified as a native Cherokee on the 1896 Census Roll of said Nation, by the name of Arminda Bracket, her maiden name; and on the 1894 strip payment roll of said Nation by the name of Arminda Brackett.

It further appears that the applicant was lawfully married to John H. Wilson on October 19, 1899; and that she has resided in the Cherokee Nation continuously since her return in March 1890.

It is therefore the opinion of this Commission that Armindie Wilson should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner

Dated at Muskogee, Indian Territory,

this SEP 20 1902

COMMISSIONER OF INDIAN AFFAIRS
FILED
1907

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 26, 1902.

Mrs. Armindie Wilson,

Vashilla, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 14 day of march, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-1000
Register.

Acting Commissioner.

Commissioner in Charge.

Cherokee D-1090

Muskogee, Indian Territory, March 20, 1902.

Mrs. Amanda Wilson,

Vashillau, Indian Territory,

Dear Madam:-

The Commission is in receipt of your letter of March 18, stating that on account of the high water it was impossible for you to appear before the Commission on March 14, the date set for the final hearing of your application for enrollment as a citizen of the Cherokee Nation, and requesting that your case be reopened later.

In reply you are requested to advise the Commission if there is any additional testimony which you desire to present, and if so on what date you think you will be able to appear before the Commission to present such testimony.

Yours truly,

Commissioner in Charge.

COPY.

Cherokee D 1000.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Armindie Wilson for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 91.

COPY.

S - 1000.

Muskogee, Indian Territory, October 24, 1902.

Armintie Wilson,

Vashillau, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself, as a citizen, by blood, of the Cherokee Nation.

Respectfully,

T. B. Brookinridge

Acting Chairman.

Enclosure S. No. 19.

Register.

Cher 9808

Sarah K. Stallcup

Transferred from D1002

Cher 9808

R499

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 17 1902

ACTING CHAIRMAN

Rejected as to applicant.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 17th, 1900.

IN THE MATTER OF THE APPLICATION OF John S. Stallcup for the enrollment of himself, wife and children as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A John S. Stallcup.
Q What is your age? A Twenty nine.
Q What is your Postoffice? A Salina.
Q What district do you live in? A Saline.
Q Are you a citizen of the Cherokee Nation? A By adoption.
Q Whom do you want to apply for? A My wife and children.
Q Have you any certificate of marriage? A I forgot to fetch it: The man that married me is here in town.
Q Did you have a license? A Yes sir; they are at home.
Q What is your wife's name? A Sabbra or Sallie K. Stallcup.
Q What was her name before you married her? A Kidd.
Q How old is she? A Twenty four.
Q Is she a Cherokee citizen by blood? A Yes sur.
Q When did you marry her? A '91.
Q According to the laws of the Cherokee Nation? A No sir.
Q Married according to the laws of the United States? A Yes sir.
Q Do you apply for yourself? A Yes sir.
Q What are the names of your children? A Florence.
Q How old? A Eight.
Q The name of the next child? A Mary A.
Q How old is Mary? A I reckon she's about seven: I do not hardly know.
Q What is the name of the next child? A Dicy D.
Q How old is she? A She should be four years old.
Q What is the name of the next child? A Cullice.
Q How old? A Nine months old.
Q Are these children all living at this time with you? A yes sir.
Q You are a white man;non citizen? A Yes sir.

By Mr. W. W. Hastings, Cherokee Represenative:
Q Was not your wife a readmitted citizen? A yes sir.
Q Have you the certificate of her admission? A No sir.

Com'r. T. B. Needles:
Q Are you on the roll of 1896? A No sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q Why? A They would not take me.
Q When were you married first? A In 1891.
Q Here at Tahlequah? A Yes sir.
Q How old is your wife? A She is twenty four now.
Q What was your wife's father's name? A Kidd, Jim Kidd.
Q What is your wife's mother's name? A Allie or Aurilla Kidd.
Q Why would they not enroll you in 1896? A I do not know/

Com'r. T. B. Needles:
Q Didyour wife draw Strip money in 1894? A Yes sir.

Mr. W. W. Hastings, C. R.
Q When was your wife admitted to citizenship? A In '94.
Q And you were married in 1891? A Yes sir.

Com'r. T. B. Needles:
Q What District did you draw Strip money in in 1894? A In Delaware.

(1896 Roll, Page 474, #10878, Sally Stallcup, Delaware D'st)
(1896 Roll, Page 474, #10884, Francis Stallcup, Delaware D'st)

Com'r. T. B. Needles: The applicant presents a certificate of admission, issued from the office of the Commission on Citizenship, signed by William P. Ross, Chairman, attested by D. S. Williams, clerk of the Commission., J. B. Gunter, Commissioner, certified to by William M. Gulliger, Assistant Executive Secretary, certifying that one, Elrilda Kidd was readmitted to citizenship on the 25th day of September, 1889, said certificate bearing the seal of the Cherokee Nation, and filed in the case of Elrilda Kidd et al., No. 5573.

Q When were you married? A '91.
Q What was your wife's mother's name? A Elrilda Kidd.
Q Is she the identical person mentioned in this certificate of admission I have just read? A Yes sir.
Q You were not married according to the laws of the Cherokee Nation? A No sir.
Q Are these children all living and living with you at this time? A Yes sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q Where were you married? A Right here in town! Judge Paschal married us.
Q Why was not your wife enrolled in 1896? A I went to them and they sent me to this Committee over here, and they would not hear me.
Q Do you know in what year your wife was born? A No sir.
Q Was your wife ever married before? A No sir.

Com'r. T. B. Needles.
Elrilda Kidd, being sworn and examined by Commissioner, T. B. Needles, testified as follows:
Q What is your name? A Elrilda Kidd.
Q Is Sarah K. Stallcup your daughter? A Yes sir.
Q When was she born; in what year? A I do not know: She's twenty four years of age.
Q Was she a minor when you were readmitted? A Yes sir.
Q Did she remove to the Cherokee Nation with you when you came? A yes sir.
Q Been living here ever since? A Yes sir.
Q You were admitted in 1889, were you? A Yes sir.

Cherokee Representative, W. W. Hastings:
Q Was she ever married before? A No sir.
Q Were they married after you came here? A yes sir.
Q And after you were admitted? A Yes sir.

Com'r. T. B. Needles: The name of Sarah K. Stallcup is found upon the pay roll of 1894, as Sally Stallcup: She refers to a certificate of admission, more particularly described in the testimony, it being filed in the case of her mother, Elrilda Kidd. Her husband, John S. Stallcup applies for enrollment. Avers that he was married to Sarah K Kidd in the year 1891, but presents no proof of marriage. The name of his child, Francis, whom he avers is by said marriage, appears upon the pay roll of 1894, and he presents satisfactory proof of birth as to two children, Mary A. and Dicy D., whose names do not appear upon said roll. He avers that he has one other child, Callice, nine months of age, but presents no proof of its birth. The applicant avers that he was married according to the laws of the United States in the year 1891, to the said Sarah K. Stallcup, whose name at that time was Sarah or Sally Kidd. The proof showing that the said John S. Stallcup was never married according to the laws of the Cherokee Nation, his application for the enrollment of himself as a citizen by intermarriage is rejected.

Final judgment as to the enrollment of his wife, Sarah K. Stallcup, and children as enumerated herein will be suspended, and their names will be placed on a doubtful card, awaiting proof of marriage of the said John E. Stallcup and his said wife, Sarah, and proof of birth of the youngest child, Cullice Stallcup, and also as to the question of her citizenship (Sarah Stallcup's), she not being admitted at the same time with her mother.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R. A. Cravens

Subscribed and sworn to before me this 10th day of January, 1901.

C. R. Breckinridge

COMMISSIONER.

1002

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 17 1900 1900.

Name Salina Ind Ty

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen, DOUBTFUL

Married under what law ..... Date of marriage .....

License (24) Certificate .....

Wife's name Sarah K. Stallcup

District DELAWARE Year 1894 Page 476 No. 2882

Citizen by blood Ind Mother's citizenship .....

Intermarried citizen No

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

2 Florence Stallcup	Dist. DELAWARE.	Year 1894	Page 476	No. 2884	Age 8
3 Mary A. "	Dist.	Year	Page	No.	Age 7
4 Lucy D. "	Dist.	Year	Page	No.	Age 4
5 Cudice "	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

1 on 1894 roll as Sally Stallcup

2 " " " " Producis

3 and 4 Birth affidavits Subscribed

5 " " " Required

Certificate of marriage to be supplied

Phoenix Printing Co., Muskogee, Ind. Ter.

CERTIFICATE OF RECORD.

United States of America,
INDIAN TERRITORY. } SS
First Judicial Division

I, WILLIAM NELSON, Clerk of the United States Court in the Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 11 day of Apr., A. D. 189[illegible], at [illegible] o'clock A. M., and duly recorded in Book [illegible] Muscogee [illegible], Page 390

Witness my hand and seal of said Court at Muscogee in said Territory this 11 day of April A. D. 189[illegible].

Wm Nelson Clerk.

By [illegible] Deputy

FILED
APR 11 1932
William Nelson
CLERK

1002

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 18 1901

No. 863

MARRIAGE LICENSE

United States of America,
INDIAN TERRITORY,
First *Judicial Division,* } ss.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are Hereby Commanded *to solemnize the Rite and publish the Banns of Matrimony between Mr.* John Stallcup *of* Dahlequah *in the* Dist. Ark *aged* 21 *years, and* Miss Lillie Reed *of* Dahlequah *in the* Dist. Ark *aged* 18 *years according to law, and do you officially sign and return this License to the parties therein named.*

Witness *my hand and Official Seal, this* First *day of* March *A. D. 1892*

William Nelson
Clerk of the U. S. Court.

By Newton S. Young *Deputy.*

Certificate of Marriage.

United States of America,
INDIAN TERRITORY,
Judicial Division, } ss.

I, Ridge Pochel
a United States Commissioner

Do Hereby Certify, *that on the* First *day of* March *A. D. 189*2
I did duly, and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness *my hand this* First *day of* March *A. D. 189*2

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, First Judicial Division, Book , Page

Ridge Pochel
United States
Commissioner

NOTE—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court for the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable to the penalties of U.S. Revised Statutes (1878).

100

20

E

IN RE

Application for Enrollment of

INFANT CHILD

Mary Allie Hallard

as a citizen of the

Cherokee Nation.

Approved, January 23 1901

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 23 1901

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Mary Allie Stallcup, born on the 16th day of April, 1894

(Here insert name of child.)

Name of Father: John S. Stallcup, a citizen of the Cherokee Nation.

Name of Mother: Sarah K. Stallcup, a citizen of the Cherokee Nation.

Post-office, Salina Indian Ty

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
Delaware INDIAN TERRITORY. District. }

I, Sarah K. Stallcup, on oath state that I am 34 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of John S Stallcup, who is a citizen, by intermarriage, of the Cherokee Nation; that a Female (male or female) child was born to me on the 16th day of April 1894; that said child has been named Mary Allie Stallcup, and is now living.

Sarah K Stallcup

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 12th *day of* December *1900.*

J S Remsen
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
Delaware INDIAN TERRITORY. District. }

I Lavina E. Brashears, a Midwife, on oath state that I attended on Mrs. Sarah K. Stallcup, wife of John S Stallcup, on the 16th day of April, 1894; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Mary Allie Stallcup

Lavina E Brashears

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 12th *day of* December *1900.*

J S Remsen
NOTARY PUBLIC.

1002 T 4708

20

IN RE

Application for Enrollment of

INFANT CHILD

Lucy E. Hallum

as a citizen of the

Cherokee Nation.

Approved.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 20 1903

Chairman.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Lucy D Stallcup, born on the 16th day of September, 1896
(Here insert name of child.)
Name of Father: John S Stallcup, a citizen of the Cherokee Nation.
Name of Mother: Sarah K Stallcup, a citizen of the Cherokee Nation.
Post-office, Salina Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Delaware District.

I, Sarah K Stallcup, on oath state that I am 34 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of John S Stallcup, who is a citizen, by Intermarriage, of the Cherokee Nation; that a Female (male or female) child was born to me on the 16th day of September 1896; that said child has been named Lucy D Stallcup, and is now living.

Sarah K Stallcup

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 12th *day of* December 1900.

T S Rennan
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Delaware District.

I, Lavina E Brashear, a Midwife, on oath state that I attended on Mrs. Sarah K. Stallcup, wife of John S. Stallcup, on the 16th day of September 1896 that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Lucy D Stallcup

Lavina E Brashear

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 12th *day of* December 1900.

T S Rennan
NOTARY PUBLIC.

P. 1002 G

20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible] Starlett

as a citizen of

CHEROKEE. Nation.

Approved Jan 1, 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 23 1901

ACTING CHAIRMAN.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Cullice Stallcup (Here insert name of child), born on the 20 day of May, 1899
Name of Father: John D. Stallcup, a citizen of the Cherokee Nation.
Name of Mother: Sarah K. Stallcup, a citizen of the Cherokee Nation.
Post-office, Salina, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, ~~INDIAN TERRITORY,~~
Northern District.

I, Sarah K Stallcup, on oath state that I am 24 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of John D. Stallcup, who is a citizen, by Marriage, of the Cherokee Nation, that a Male (male or female) child was born to me on the 20 day of May 1899 that said child has been named Cullice Stallcup, and is now living.

Sarah K Stallcup

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this 14 *day of* June 1901.

W. C. Reed
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, ~~INDIAN TERRITORY,~~
Northern District.

I, Patsey Johnson, a Midwife, on oath state that I attended on Mrs. Sarah K. Stallcup, wife of John D. Stallcup, on the 20 day of May, 1899; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Cullice Stallcup

Patsey Johnson her mark

WITNESSES TO MARK:
(Must be Two Witnesses)
John A Eaton
Cherokee Nation

Subscribed and sworn to before me this 14 day of June 1901.

W. C. Reed
NOTARY PUBLIC.

Com. Exp. 6-2-1902

D 1002

20

IN RE

Application for Enrollment of

INFANT CHILD

Sealy Stallcup

as a citizen of

Cherokee Nation.

Approved, May 22 1901

Commissioner.

RECEIVED
MAY 22 1901

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Sealy Stallcup (Here insert name of child) born on the 17th day of Apr., 1901
Name of Father: J. S. Stallcup, a citizen of the Cherokee Nation.
Name of Mother: Sarah K. Stallcup a citizen of the Cherokee Nation.
Post-office, Salina I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Sarah K. Stallcup, on oath state that I am 25 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of J. S. Stallcup, who is a citizen, by Mariage, of the Cherokee Nation, that a ~~female~~ (male or female.) child was born to me on the 17th day of Apr. 1901; that said child has been named Sealy Stallcup, and is now living.

Sarah K Stallcup

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this 16th day of May 1901.
N. A. Rose
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Patsy Johnson, Midwife, on oath state that I attended on Mrs. Sarah K. Stallcup wife of J. S. Stallcup on the 17 day of Apr. 1901; that there was born to her on said date a female child; that said child is now living and is said to have been named Sealy Stallcup

Patsy Johnson her mark

WITNESSES TO MARK
(Must be Two Witnesses)
Silas Bryan
M J Bryan

Subscribed and sworn to before me this 16 day of May 1901.
N. A. Rose
NOTARY PUBLIC.

Com-Enl.-9-10-1902

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

APR 1 1902

R.

C. D-1002.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 14, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Sarah K. Stallcup for the enrollment of herself and children as citizens of the Cherokee Nation.

Appearances:
J. R. Sequichie, Agent for applicant.
W. W. Hastings, Attorney for Cherokee Nation.

The applicant was notified by registered letter February 26, 1902, that her application for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 14th day of March, 1902. Receipt has been acknowledged of the Commission's letter, and the applicant this day, to-wit: the 14th day of March, 1902, appears by her Agent, J. R. Sequichie.

BY COMMISSION OF MR. SEQUICHIE: Do you desire to make any further statement relative to this case? A. No sir.
Q You submit the case to the Commission? A. Yes sir.

The Agent of the applicant and the representative of the Cherokee Nation present this submit the case, same is deemed completed, and will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Cherokee D-1002.

No. 863.

- : M A R R I A G E L I C E N S E : -

--ooooooooooo--

United States of America, :
:
INDIAN TERRITORY :: ss.
:
First Judicial Division :

To Any Person Authorized by Law to Solemnize Marriage - Greeting:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the Banns of Matrimony between Mr. John Stallcup of Tahlequah in the Ind. Ter. aged 21 years, and Miss Lillie Kidd of Tahlequah in the Ind. Ter. aged 18 years according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and Official Seal, this First Day of March A.D. 1892.

Signed - William Nelson,
Clerk of the U.S. Court.

By - Newton S. Young, Deputy.

(Seal of the United States Court, Indian Territory).

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA, :
Indian Territory. : ss
_____Judicial Division :

I, Ridge Paschal,
a United States Commissioner for said Division

DO HEREBY CERTIFY, that on the First day of March A. D. 1892, I did duly, and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this First day of March A. D. 1892.

My credentials are recorded in the office of the Clerk of the Under States Court, Indian Territory.
First Judicial Division, Book _____, Page_____.

:_____:
:SEAL :
:_____:

Signed - Ridge Paschal,
a United States Commissioner for said Division.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
F I L E D -
Jan. 18, 1901.
Signed - Tams Bixby,
Acting Chairman.

Cherokee D-1002.

Muskogee, Indian Territory, June 9, 1902.

I R. A. Stevens, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and fore-going is a true and correct copy of the original offered in evidence in the matter of the application of John S. Stallcup fi for the enrollment of himself, his wife and children as citizens of the Cherokee Nation.

R. A. Stevens

.Steno.

Cherokee D-1002.

C E R T I F I C A T E O F R E C O R D.

UNITED STATES OF AMERICA, :
INDIAN TERRITORY. : SS
First Judicial Division. :

I, WILLIAM NELSON, Clerk of the United States Court in the Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 11" day of Apr. A. D. 1892, at 8 o'clock A.M., and duly recorded in Book "B" Marriage Record, Page 390.

Witness my hand and seal of said Court at Muskogee in said Territory, this 17" day of June A. D. 1892.

Signed - Wm. Nelson, Clerk

By - W. S. Young, Deputy.
(Seal of the United States Court, Indian Territory)

Muskogee, Indian Territory, June 9, 1902.

I, R. A. Stevens, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application of John S? Stallcup for the enrollment of himself, his wife and children as citizens of the Cherokee nation.

R. A. Stevens
Steno.

Cherokee D-1002.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES."

--ooooooooooo--

In the matter of the application of Sarah K. Stallcup and her minor children, Florence Stallcup, Mary A. Stallcup, Dicy D. Stallcup, Cullice Stallcup and Sealy Stallcup, for enrollment as citizens by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on December 17, 1900, John S. Stallcup appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment, among others, of his wife, Sarah K. Stallcup, and their minor children, Florence Stallcup, Mary A. Stallcup, Dicy D. Stallcup and Cullice Stallcup, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 14, 1902. The other party to this application is differently classified and is not embraced in this decision.

It appears from the records in possession of this Commission that Alrida Kidd, by reason of her Cherokee blood, was lawfully readmitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship on September 25, 1889 (Record "B" of the Commission on Citizenship, page 333). The evidence further shows that the said Alrida Kidd is the mother of the applicant, Sarah K. Stallcup, and that the latter was a minor when her mother was readmitted to citizenship.

The evidence further shows that the said Sarah K. Stallcup (nee Kidd) is a Cherokee by blood and was lawfully married to John S. Stallcup, a non-citizen, on March 1, 1892, under a marriage license issued by the Clerk of the United States Court for the Indian Territory, First Judicial Division. From said marriage, all the children included herein were born. The minor applicants above mentioned and Sealy Stallcup, who was born since this application was made, are identified by birth affidavits on file with this Commission.

It further appears that the applicant, Sarah K. Stallcup, and her oldest child, Florence Stallcup, are identified on the 1894 strip payment roll of the Cherokee Nation as native Cherokees, the latter by the name of Francis Stallcup; but none of the applicants are identified on any of the other tribal rolls of said Nation.

The applicant, Sarah K. Stallcup, was a resident of the Cherokee Nation for some time prior to her said marriage, and since her marriage, has resided with her husband in the Cherokee Nation continuously up to and including the date of this application.

Decision # 2. Cherokee D-1002.

It is therefore the opinion of this Commission that Sarah K. Stallcup and her minor children, Florence Stallcup, Mary A. Stallcup, Dicy D. Stallcup, Cullice Stallcup and Sealy Stallcup, should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902.

(1) P1002

COMMISSIONER OF THE FIVE CIVILIZED TRIBES.

FILED

FEB 1 1902

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 28, 1902.

Mr. John S. Stallcup,

Salina, Indian Territory.

Sir:-

You are hereby notified that the application of Sarah K., Florence, May A., Dicy D., Cullice, and Sealy Stallcup for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 14 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-1004
Register.

Yours truly,

[redacted]
Commissioner in Charge.

P 1002 INDEXED.

Commissioner TO F. C. Tribes.			
No.	Received	ANSWERED	
		Book	Page
697 1901	JAN 16 1901		

Stallcup, Sarah A.
" " Salina, I.T.
Jan 14 1901

"L" CHEROKEE.

Enclosing marriage certificate and says her name and age is incorrect in same

Filed with Cherokee Card D1007

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 18 1901

ACTING CHAIRMAN

[illegible] N. Y.

Jan 14th 1901

[illegible]

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[illegible]

[illegible] you at once

[illegible]

[illegible] Yours truly

[illegible] N. Y.

COPY.

Cherokee D 1002.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of John S. Stalloup for the enrollment of his wife, Sarah K. Stalloup, and his five minor children, Florence, Mary A., Dicy D., Cullice and Sealy Stalloup, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 98.

COPY.

Cherokee 2 - 1902,

Muskogee, Indian Territory, October 25, 1904.

J. R. Sequichie,

Agent for Sarah K. Stallcup, et al,

Chelsea, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1903, granting the application of John S. Stallcup for the enrollment of his wife, Sarah K. Stallcup, and five minor children, Florence, Mary A., Dicy D., Cullie and Sealy Stallcup, as citizens by blood of the Cherokee Nation.

Respectfully,

R. Breckinridge
Commissioner in Charge.
Acting Chairman.

Enclosure C. No. 18.

Register.

COPY.

Cherokee 3 - 1002.

Muskogee, Indian Territory, October 25, 1902.

John S. Stallcup,
Salina, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Sarah K. Stallcup, and your five minor children, Florence, Mary A., Dicy D., Cullice and Healy Stallcup, as citizens by blood of the Cherokee Nation.

Respectfully,

R. Breckinridge
Acting Chairman.
Commissioner in Charge.

Enclosure C. No. 17.
Register.

Cher 9809

Emma F. Adair

Transferred from D1005

Cher 9809

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 16 1901

ACTING CHAIRMAN

Department of the Interior,
Commission to the Five Civilized Tri es,
Tahlequah, I.T., December 17, 1900.

In the matter of the application of Mary Lawson for the enrollment of her child, EMMA FRANCRS ADAIR, as a Cherokee citizen; being sworn and examined by Commissioner Breckinridge she testified as fellows

Q Give me your full name? A Mary Lawson.
Q How old are you? A 24
Q What is your post-office? A Tahlequah.
Q Do you live in Tahlequah District? A Yes sir.
Q You haven't any middle name? A No sir.
Q Who is it you want to enroll? A My little girl.
Q Just the child? A Yes sir.
Q You are a white woman? A Yes sir.
Q And you have married out? A Yes sir, I have married a white man., since my Cherok e husband die d.
Q Give me the name of the father of this child? A Mose Adair.
Q Is he dead? A Yes sir.
Q He was a Cherokee by blood, was he? A Yes sir.
Q How long has he been dead? A He has been dead little over eight years.
Q When were you and he married? A In 1891.
Q Have you a certificate of your marriage? A No sir
Q How old was he when he died? A 28, that's what he claime d.
Q What was the name of his father? A Rufus Adair.
Q Is he dead? A Yes sir.
Q Give me the name of your husband's mother? A Jennie Adair.
Q Is she dead? A Yes sir.
Q Was your husband Adair ever married before he marri d you? A Yes sir, once.
Q Was that wif e dead when he married you? A Yes sir.
Q Were you ever married before you married him? A No sir.
Q He was your first husband? A Yes sir.
Q How long after his death was it when you married? A 2 years
Q Now give me the name of the child? A Emma Frances Adair.
Q How old is the child? A 8 years old.
Q This is the child here is it? (Indicating a child standing near)
A Yes sir.

PLEAS LAWSON, being sworn and examined by Commissioner Breckinridge testified as follows:

Q Give your full name? A Pleas Lawson.
Q How old are you? A 27 years old.
Q What is your post-office? A Here in town, Tahlequah.
Q Ar e you the husband of this applicant here? A Yes sir.
Q What was her name when you married her? A Her name was Adair.
Q Was she a widow? A Yes sir.
Q Whose widow was she? A Moses.
Q How long since you married your wif e? A It has been about-going on six years now.
Q Have you g et a certificate of marriage? A Yes sir, I have; at home.

APPLICANT RECALLED:

Q Where was Moses Adair's home? A Sequoyah and Illinois District.
Q Did you and your husband live in the Cherok e Nation from the time you married him until he died? A Yes sir.
Q You lived with him down until he died? A Yes sir.
Q Did he live here all his life? A Yes sir.

1880 roll page 380 #3 Mose Adair Sequoyah active Cher
1896 roll page 396 #30 Emma Adair Illinois district.

Mary Lawson for child 2

Q Where were you married to your husband Adair? A At Muskogee.
Q Who married you? A Preacher Butler.
Q Was there a regular license got out? A Yes sir.
Q Where was the license got out? A At Muskogee.
Q How did you happen to be married at Muskogee? AQ We went from Illinois District to Muskogee.
Q Went over there for that purpose? A Yes sir.
Q And the license was got out there and the ceremony performed there?
A Yes sir.
Q Do you know where the license was recorded? A Yes sir, at Muskogee.

C m'r Breckinridge: The applicant applies for the enrollment of a child, which she states is her child by a former husband, a Cherokee, now deceased; she states that she and her former husband, Moses Adair, were married in 1891 at Muskogee, and that evidence of their marriage is upon record there. Her husband was married once prior to this marriage, but his former wife is said to have been dead before this marriage was entered ~~into~~ upon, and the applicant states that her deceased Cherokee husband was her first husband; she makes no application for herself, as she has since his death married a white man; the child Emma F. Adair, is duly identified on the roll of 1896; she is living and she will now be listed for enrollment as a Cherokee by blood, upon a doubtful card, to await further evidence of the marriage between the applicant and her first husband; she states that her first husband lived in the Cherokee Nation all his life, and that she lived with him from the time of their marriage until his death.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this December 19, 1900.

Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 17 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Emma F. Adair Dist. Illinois Year 1896 Page 835 No 30 Age 8

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dowtyl

On 1896 roll as Emma Adair

Child of Mary Lawson, Tahlequah, I.T.

Further evidence of marriage of parents to be supplied

CERTIFICATE OF TRUE COPY.

United States of America,
INDIAN TERRITORY,
Northern District. } ss.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, and ex-officio Recorder of said District and Territory, do hereby certify that the instrument hereto attached is a full, true and correct copy of a ~~Chattel~~ Warranty ~~Mortgage~~ License filed in my office on the 5th day of Dec. 1891, ~~190~~, at ~~o'clock M., and~~ ~~Renewal Affidavit filed~~ ~~190~~.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 10th day of June, A. D. 1902

Chas. A. Davidson
Clerk and Ex-Officio Recorder.

By P. D. Quinn
Deputy Clerk.

the 5th day of Dec. - 1891, ~~at~~ ~~M.~~, and duly recorded in Book B, Marriage Record, Page 204.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 5th day of Dec. A. D. 1891

Wm Nelson Clerk.

By M. L. Bragdon Deputy.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District. } ss

No. 689

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGE, GREETING:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. Moses B. Adair of Muskogee, in the Indian Territory, aged 25 years, and Miss Mary Pace of Muskogee, in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory, this 7" day of Oct. A. D. 1891

Wm Nelson
Clerk of U. S. Court.

By W. R. Shackelford Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District. } ss.

I, M. L. Butler, a Minister of the Gospel, DO HEREBY CERTIFY, that on the 8" day of Oct. A. D. 1891, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 8" day of Oct. A. D. 1891

My Credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book A. Page 7

M. L. Butler
A Minister of the Gospel.

NOTE. This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable to the penalty of One Hundred Dollars ($100.00).

COMMISSION
FILED
DEC 19 1900
ACTING CHAIRMAN

FILED
DEC 1894
CLERK.

CERTIFICATE OF RECORD.

United States of America,

INDIAN TERRITORY, SS

JUDICIAL DIVISION.

Marriage License.

No. 757

United States of America,
INDIAN TERRITORY,
Judicial Division. } ss.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the Banns of Matrimony between Mr. O L Lawson of Campbell in the I T aged 22 years, and Miss Mary Adair of Campbell in the I T aged 18 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and Official Seal, this 17 day of Nov A. D., 1894

Jno V Phelps
Clerk of the U. S. Court.

By F L Phelps Deputy.

Certificate of Marriage.

United States of America,
INDIAN TERRITORY,
Judicial Division. } ss.

I J F Evans
a Licensed Preacher

DO HEREBY CERTIFY, that on the 24 day of November A. D., 1894 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 24 day of November A. D., 1894

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, Judicial Division, Book A, Page 185

J F Evans
Licensed Preacher

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable to the payment of One Hundred Dollars (Sec.)

D1005

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
APR 1 1902

ACTING CHAIRMAN

R.

C. D-1006.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 14, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Mary Lawson for the enrollment of her child Emma F. Adair as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 26, 1902, that her application for the enrollment of her child Emma F. Adair, as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 14th day of March, 1902, and that on said date she might appear before the Commission, either in person or by attorney, when an opportunity would be given her to introduce any additional testimony affecting her application. The applicant having this day, to-wit: the 14th day of March, 1902, been called, and failing to respond, it is deemed that her case is completed, and same will be reported to the Commission for final decision based upon the evidencenow of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, Wm. Nelson, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 5th day of Dec. 1891, at ..... M., and duly recorded in Book B., Marriage Record, Page 204.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 5th day of Dec., A. D. 1891.

Signed - Wm. Nelson Clerk.

By M. L. Bragdon Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., ... 190....

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of .....

..... as citizen of the Cherokee Nation.

.....
Commissioner.

(19)

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

No. 689.

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. Moses B. Adair, of Muskogee, in the Indian Territory, aged 25 years, and Miss Mary Pack, of Muskogee, in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 7th day of Oct. A. D. 1891.

Signed - Wm. Nelson
Clerk of the U. S. Court.

By W. R. Shackelford Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, M. L. Butler, a Minister of the Gospel, Do Hereby Certify, that on the 8th day of Oct., A. D. 1891, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 8th day of Oct. A. D. 1891.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book A, Page 7.

Signed - M. L. Butler
A Minister of the Gospel.

CERTIFICATE OF TRUE COPY.

UNITED STATES OF AMERICA, :
Indian Territory : ss
Northern District. :

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, and ex-officio Recorder of said District and Territory, do hereby certify that the instrument hereto attached is a full, true and correct copy of a Marriage License filed in my office on the 5th day of Dec. 1891.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 10th day of June A.D. 1902.

Signed - Charles A. Davidson,

Clerk and Ex-Officio Recorder.

By R. D. Owen,
Deputy Clerk.

(Seal of the U.S. Court, Indian Territory, Northern District).

Muskogee, Indian Territory, June 10, 1902.

I, R. A. Stevens, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for the enrollment of Emma F. Adair as a citizen of the Cherokee Nation.

R. A. Stevens

Steno.

Cherokee D-1005.

G.P.T
6R

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Emma F. Adair for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on December 17, 1900, Mary Lawson appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment of her minor child, Emma F. Adair, as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 14, 1902.

The evidence shows that on October 8, 1891, Mary Pack, who is a white woman and the mother of this applicant, was lawfully married to one, Mose Adair, under a marriage license issued by the Clerk of the United States Court in the Northern District, Indian Territory; that they lived together as husband and wife until his death in 1892, and that the applicant was born of that marriage. After the death of the said Mose Adair, the applicant's mother married one, Pleas Lawson, her present husband.

It appears that Mose Adair, father of this applicant, is identified on the 1880 authenticated roll of the Cherokee Nation as a native Cherokee; it further appears that this applicant was born in the year 1892, and is identified on the 1896 Census Roll of said Nation and that she has always resided with her mother in said Nation.

It is therefore the opinion of this Commission that Emma F. Adair should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902.

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 26, 1902.

Mrs. Mary Lawson,

Tahlequah, Indan Territory,

Madam:-

You are hereby notified that the application of Emma F. Adair

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 14 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of marriageof yourself and Mose Adair.

Yours truly,

Cherokee D-1008
Register.

Acting Chairman.

Commissioner in Charge.

COPY.

Cherokee D 1005.

Muskogee, Indian Territory, September 20, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Mary Lawson for the enrollment of her minor child, Emma F. Adair, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 93.

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
D - 1095.

Muskogee, Indian Territory, October 24, 1902.

Mary Lawson,

Tahlequah, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your minor child, Emma F. Adair, as a citizen, by blood, of the Cherokee Nation.

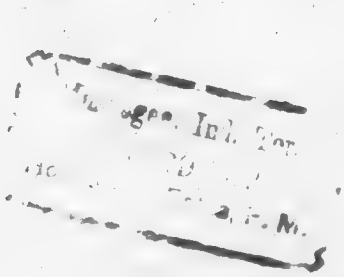
Respectfully,

C. R. Breckinridge

~~Acting Chairman.~~

Enclosure C. No. 16.

Register.





Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

Mary Lawson,
Tullequah, Indian Territory.

RETURN TO WRITER

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

Mrs. Mary Lawson,

Tahlequah, Indian Territory.

Cher 9810

Harry R. Hutchinson

Transferred from D1018

Cher 9810

D.1018.

REJECTED, as to applicant.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., December 18th, 1900.

In the matter of the application of William Carlton Hutchinson for the enrollment of himself and children as citizens of the Cherokee Nation; said Hutchinson being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name? A William Carlton Hutchinson.
Q How old are you Mr. Hutchinson? A 29.
Q What is your post office address? A Southwest City, Missouri.
Q In what district do you live? A Delaware.
Q Who is it you want to enroll? A Two children.
Q Are these your own children? A Yes, sir.
Q You don't apply for yourself? A No, sir.
Q You are a white man? A Yes, sir.
Q You never married according to Cherokee law? A I did, I married in January, 1896.
Q You might apply so that you can go on the records; so then you will apply for yourself as an intermarried man? A Yes, sir.
Q You apply for yourself as an intermarried man? A Yes, sir.
Q Let me see your marriage license and certificate? (Hands paper to COM'R.)
Q Your wife's maiden name was Folson, was it? A Yes, sir.
Com'r:—The applicant presents an official copy of his marriage license and certificate showing that he was licensed on January 24, 1896, by the Clerk of Delaware district, to marry his wife, Mrs. F. A. Folson, and that they were united in marriage on the same date by the Clerk of the District. This is filed herewith.
Q You had been previously married under United States law? A Yes, sir.
Q Did you live with your wife from the time you married her until she died? A Yes, sir.
Q How long has she been dead? A 24th day of May, 1900.
Q Were you ever married except to this wife? A No, sir.
Q Was she ever married except to you? A No, sir.
Q Have you married since her death? A No, sir.
Q Give me, please, the names of your children? A Harry Ridge.
Q How old is that child? A He will be four years old the 13th day of January.
Q The next child is Edith Frances, is it? A Yes, sir.
Q That child was born on the 7th of December, 1898? A Yes, sir.
Q Did your wife live in the Cherokee Nation all her life? A Pretty near it.
Q How old was she when she died? A She was 31 I think.
Q During what part of her life had she lived out of the Cherokee Nation? A Well, I think right after she was born a while they lived in Arkansas and then along in the '90's sometime she was away.
Q How much was she away during the 90's? A She was away the three years she was away to school.
Q Was she only away attending school? A No, she worked in St. Louis for a couple of years.
Q What years were those? A '94 and '95.
Q Did she marry in St.Louis? A Yes, sir.
Q Your first marriage was in St.Louis and then remarried here under Cherokee law down here? A Yes, sir.
Q She was just working on a salary? A Yes, sir.
Q There were her father and mother while she was working in St. Louis? A Both dead, her father died while she was there.
Q Where did her father die? A He died at Southwest City.

Q Her mother died when she was little and where did she live in the Cherokee Nation from her early life up until about 1885 when she took a salaried place there in St.Louis? A She lived with her family.
Q Where did they live? A They lived in the Nation part of the time and in Arkansas some. He moved backwards and forwards on account of his health.
Q Do you know about how much time they spent in Arkansas? A No, sir.
Q Where did they live in Arkansas? A Fayetteville.
Q She had lived partly in the Cherokee Nation and partly in Arkansas up to the time she went to St.Louis? A She went to the Fayetteville school and graduated.
Q And then after she graduated there where did she go? A Poughkeepsie, New York, and graduated there and after graduating there, she went to St.Louis.
Q How long had she lived in the Cherokee Nation before she went to school here at Fayetteville? A That I do not know.
Q Give me the name of your wife's father? A I do not know what his initials were, Dr. Polson--W.D., that's right.
Q Is he dead? A Yes, sir.
Q Give me the name of your wife's mother? A Flora I think.
Q Is she dead? A Yes, sir.
Q Her mother died before 1880 did she? A Yes, sir.
Q And then did your wife's father marry again? A Yes, sir.
1880 roll; page 297, #1978, F. A. Polson, Delaware.
1896 roll; page 480, #1437, Flora Alice Hutchinson, Delaware.
1896 roll; page 574, #229, Carl Hutchinson, Delaware.
Q Mr. Hutchinson, where did your wife die? A Denver, Colorado.
Q Had she gone out there for her health? A Yes, sir.
Q Where did she live after her marriage to you, in the fall of 1896? A Lived in St.Louis a little while and come down to Delaware district.
Q When did you go to Delaware district? A Came there March, '97.
Q Now, where were these children born? A One in St.Louis and the other in the Territory.
Q The older one in St.Louis? A Yes.
Q Now, when you came down to Delaware district with your wife in March, 1897, how long did you stay there and make it your home? A I staid there until I had to take her to Colorado for her health.
Q When was that? A That was in the spring of '98.
Q What business were you engaged in in Delaware district? A Farming.
Q You made it your home consistently from 1897 until you took your wife away on account of her health? A Yes, sir.
Q And she staid in Colorado until she died last spring? A Yes, sir.
Q No application was ever made by your wife or by you for her for readmission to citizenship after her return to the Cherokee Nation? A No, sir.
Q Neither to the Dawes Commission nor the Council? A No, sir.
Q Now, you were married in January, 1896, were you making arrangement to come to your farm between January, 1897, and March, 1897? A Yes, sir.
Q And as soon as you could get possession you came? A Yes, sir.
Q And that was in March, 1897? A Yes, sir, I had a wheat crop put in the fall before.
Q You had a wheat crop put on the farm in the fall of 1896? A Yes, sir.

Com'r Breckinridge:--The applicant applies for the enrollment of himself and two children. His Cherokee wife to whom he is shown to have been married in accordance with Cherokee law by the license and certificate filed herewith, is identified on the rolls of 1880 and 1896 as a native Cherokee. She was absent from the Cherokee Nation for a considerable period, as set forth in detail in the testimony, between 1880 and 1896, acquiring her education, and after she had finished her technical education she, still unmarried, worked for a salary in the city of St.Louis during the year of 1894 and the greater part of 1895. The applicant states that he and his wife were married in the fall of 1895 and that they immediately took steps to get possession of farming property to which they had a claim in Delaware District; that he put that property in wheat in the fall of 1896, and that they removed upon it and made it permanently their home in March, 1897. There they continued to live until the spring of 1899, he was compelled to take his wife to Colorado for her health, where she continued for about one year when she died. While the applicant's wife did not resume her residence in the Cherokee Nation for several years after she had reached her majority, yet the circumstances attending her residence outside of the Cherokee Nation are of a peculiar character and do not seem to have impaired her legitimate claim to citizenship. It is desired, however, that the full Commission pass upon the question of residence and therefore the two children of this marriage, Harry R. and Edith F., will, when certificates of birth are filed with the Commission, be listed for enrollment on a doubtful card as Cherokees by blood and the final decision of the Commission will be made known to the applicant at his post office address.

The applicant himself is shown to have been married to his wife under Cherokee law January 24, 1896. They having been previously married under United States law. Neither was married prior to this marriage. He lived with his wife from the time of their marriage until her death and since her death he has not remarried. He is identified with his wife on the roll of 1896. He is a white man but his marriage is too late under the Cherokee law of December 16, 1895, to entitle him to enrollment as a citizen and therefore, the application for his own enrollment is rejected.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Rosson.

Subscribed and sworn to before me this 10th day of January, 1901.

(Signed) C. R. Breckinridge,

Commissioner.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur G. Croninger

Subscribed and sworn to before me this 11th day of January, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 18 1900

ACTING CHAIRMAN.

Enrollment of Cherokees Under Act

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 18 1900 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

1 Harry R. Hutchinson Dist. Year Page No. Age 4

2 Edith F " Dist. Year Page No. Age 2

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Nos 1 & 2 - Affidavits as to birth to be supplied

Children of W. C. Hutchinson, Brickwest City, Mo

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 18 1900

ACTING CHAIRMAN.

D. R. Allen

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 18 1900

ACTING CHAIRMAN.

MARRIAGE LICENSE.

CHEROKEE NATION Delaware DISTRICT.

TO ANY PERSON LEGALLY AUTHORIZED--GREETING:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. William C. Hutchison a citizen of the United States, and Miss L. A. Polson a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and Seal of Office, this the 24 day of January 1894

J. B. Hastings

Clerk Delaware District.

Indian Sentinel Print

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
8 1901

ACTING CHAIRMAN

Supl. C.-B.#1018.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., OCTOBER 4th, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of Harry R. and Edith F. Hutchinson as Cherokee citizens by blood; introduced on part of applicants:

Mr. J. L. Baugh, Cherokee Representative, present.

CLAUDE L. WASHBURN, being duly sworn and examined by Commissioner Needles, testified as follows:

Q what is your name? A Claude L. Washburn.
Q what is your age? A 44.
Q Post office? A Southwest City.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q Do you know William C. Hutchinson? A Yes, sir
Q Did you know his wife? A Yes, sir
Q What was her name? A Her name was Alice Polson before his marriage, Flora Alice, full name.
Q Is she living? A No, sir, she is dead.
Q What was her father's name? A Polson, William Davis Polson.
Q Is he living? A No, sir, he is dead.
Q Did you know her mother's name? A Yes, sir.
Q What was that? A Name was Flora Chamberlin Ridge before her marriage.
Q Is she dead? A Yes, sir.
Q Are you any relation to Flora Alice Polson? A Yes, sir
Q What? A She was my first cousin.
Q Has she any children? A Yes, sir.
Q What are their names? A Harry Reed and Edith Hutchinson.
Q Are they living? A Yes, sir.
Q Where was Alice Hutchinson, the mother of these children, born?
A She was born in the Cherokee Nation.
Q Now, tell the Commission what you may know about her residence from the time she was born until the time of her death?
A She lived in Delaware district, right near Southwest City all of her life until after her mother died, they were sent, the children were sent to Fayettville.
Q Well, what children? A Her mother's children, and she among them went to Fayetteville and went to School there and after she got through there, she went to Poughkeepsie, New York, and graduated there and come back to St. Louis on her way from there and took a situation with the New York Life Insurance Company and worked for them and she was there when she married.
Q She was a single woman all that time? A Yes, sir, and her home was still back here at her brothers and sisters, and her father was still living at the old place.
Q Her father was still living in the Cherokee Nation? A Yes, sir
Q Did her father die in the Cherokee Nation? A Well, it was just across the line in Southwest City.
Q Did her mother die in the Cherokee Nation? A Yes, sir, died at the old home.
Q Well, Flora Alice was a child when her mother died?
A Yes, sir
Q She was married in St. Louis? A Yes, sir.
Q How long did she live in St. Louis after she was married?
A Why, I don't remember just exactly how long, something like a year
Q Did they have any children? A Two children.
Q Where were the children born? A One of them was born here and one of them was born I think in St. Louis.
Q Where are the children living now? A They are with their

Q Where? A Iowa.
Q In the State of Iowa? A No, Illinois.
Q They are orphan children? A Yes, half orphans, their father is living.
Q Is their father still living? A yes, sir.
Q where is he living? A He is in St. Louis now.
Q Is he a white man? A Yes, sir.
Q Where did the mother of these children, Alice; where did she die?
A She died in Denver, Colorado.
Q Was she living there when she died? A She temporarily, she went out there for her health, went in November I think and died the following May.
Q well, as I understand, of your own knowledge, Alice, the mother of these children, has been going to school in different places?
A Yes, sir, went to school at Fayetteville a while and went from there to Poughkeepsie, New York, and graduated at the University at Fayetteville and graduated at Poughkeepsie; but during all this time she called home at the old place, and she had part of that place.
Q Was herfather all this time living in the Cherokee Nation?
A Yes, sir
Q He was living in the Cherokee Nation up until her mother's death?
A Yes, sir.

MR. BAUGH: Mr. Washburn, what age was Mrs. Hutchinson when she was married? She must have been about 27 or 8.

Q How long had she been in St. Louis at the time she married?
A I don't know just exactly, don't remember about the year.
Q well, do you know whether or not they kept house in St. Louis?
A I don't think they ever kept house, they lived there a while but I think they just boarded, I am not positive.

COM'R NEEDLES: Do you know what year that was they kept house in St. Louis, the year after they were married; do you know the year they were married in? A They were married in '95.
Q Well, now then, where was Alice in the year 1898? A Why she was was over here here on the old home place I think
Q In the Cherokee Nation? A Yes, sir, Delaware district; they were living there at the time in 1898 to the best ofmy knowledge.
Q The youngest child, Edith, was born there; now the older child was named Harry; Harry was born in St. Louis? A Yes, sir.
Q And the younger child, Edity, I understand you to say was born in the Cherokee Nation? A Yes, I think I am right about that.

MR. BAUGH: Do you know when they returned to Delaware district to live? A I think in the spring of '96 if I rembmer right, '98 or '7, in the latter part of the winter.

COM'R NEEDLES: And did they live here until her death?
A Yes, sir; until the time they went to Colorado for her health.

J. T. HARDY, being duly sworn and examined by Commissioner Needles, testified as follows, on part of applicants:

Q what is your name? A J. T. Hardy.
Q What is your age? A 44.
Q what is your post office? A Southwest City.
Q Missouri? A Cherokee Nation; well Southwest City is in Missouri.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A No, sir, adopted.
Q Well, did you know Alice Ritchinson? A Polson?
Q Polson I mean? A Yes, sir
Q What was her father's name? A Davis Polson.
Q And her mother's name? A Flora.
Q Had she had her husband's name? A Carl Ritchinson.
Q And he a white man? A Yes, sir.

Q Do you know whencarl Ritchinson and her removed permanently to the Cherokee Nation? A Wel , I could not give the exact dates, olet s see; they have lived, it has been something near four or five years. They moved there along towards the spring and remained there; I don't remember whether it was early during the year or not, and the doctor examined her and told her to go to Colorado for her health that that was the only chance for her, and went there and stayed one summer and come back, and got worse and come over and got Dr. Portner to examine her and he told her and went back again and she died there last May was a year.
Q Do you know her children? A Yes, sir.
Q What was their names? A I only know the given names, called one Ridge and the other Edith.
Q Where was Reed born? A St. Louis.
Q And Edith born? A Cherokee Nation, Delaware district.
Q Where are these children now? A Winchester, Illinois.
Q With relatives there? A With their aunt, his sister.
Q You have heard the testimony of Mr. Washburn? A Yes, sir.
Q Your testimony as to the residence of Flora Ritchinson about the same as his? A Yes, sir.
Q If you know of any other point of different place state it?
A Wel , I know she has had a place right close to where I live ever since I married; the father divided up the estate and he taken care of it during his lifetime and whenhe died my wife had possession of it; that is, when they was not on it.
Q When she was single did she make her home with her father?
A Well, he was single.
Q Her name wason the roll of 1880? A Yes, sir, and on other rolls I have had it put on some of the rolls myself.
Q Always recognized as a Cherokee citizen? A Yes, sir.
Q You t hink that she and herhusband made their home in the Cherokee Nation previous to 1898, he swears March, '97?
A I don't know the exact dates when they when they lived there to make their home; I was to their place in St. Louis and they had the place rented there, furnished rooms, her husband never knew her until she went to St. Louis.
Q She came from New York? A Yes, sir, came back there to work.
MR. BAUGH: Do you know what age she was when she went to New York to school? A No, sir, I could not tell you.
Q You say she is a sister-in-law of yours? A Yes, sir.
Q How long was she in Schooll in New York? A I think something near a year.
Q And then she returned to St. Louis? A Yes, sir, she come back there and stopped, she had acquaintances there and got a position there.
Q How long did she live in St. Louis altogether? A I could not tell you
Q Well, do you know whether or not she maintained and kept a residence in St. Louis after she married; that is she kept house there? A Sh e kept house there a while.
Q And of course that would be counted her place of residence at that time? A Yes, sir, they was only temperary because they were intending to come back to their residence place here.
Q About how long were they there after that marriage? A About a year something over, maybe two, I can't tell; they were back here though during the time.
Q Back on a visit? A Yes, sir, and to look after their interests
Q You don't know whether or not they owned any property there?
A No, sir.
COM'R MEREDITH: Mr. Hardy, Mr. Hutchins, the testimony of Flora Alice, and the father of these children, in his testimony swears that he came to Delaware district with his wife and made it his home in March, '97; do you think that is correct? A I should say that is correct.
Q Do you know whether Hutchinson made any other trips to the

Supl. C. R. 7016.

A. Yes, sir.
Q. About how many years? A. Two or three.
Q. Before his wife's death? A. Yes, sir, he moved his house and moved back to take his allotment; after the surveyors come he moved his house to take his eighty acres.

---oo0000oo---

I, C. Rosson, being first duly sworn, stated that as stenographer to the Commission to the five civilized tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this October 8th, 1901.

Commissioner.

Cherokee D-1018.

M A R R I A G E L I C E N S E .

--ooooOooooo--

Cherokee Nation, Delaware District/

TO ALL PERSON LEGALLY AUTHORIZED--GREETING:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. William C. Hutchinson, a citizen of the United States, and Miss F. A. Polson, a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and Seal of Office this the 24 day of January 1896.

Signed J. R. Hastings,
Clerk, Delaware District.

(SEAL)

I, J. R. Hastings, a Clerk Del. Dist. hereby certify that on the 24 day of January 1896, I joined in marriage Mr. William C. Hutchinson a citizen of the U.S. and Miss F. A. Polson a citizen of the Cherokee Nation, agreeable to the authority given in the within license and the customs and laws of the Cherokee Nation. Given under my hand this the 24 day of Jan. 1896.

Signed - J. R. Hastings, Clerk.
Del. Dist. C.N.

Recorded this the 25 day of Jan. 1896.

Executive Office, Cherokee Nation,
Tahlequah, I. T.

I, B. W. Alberty, Assistant Executive Secretary, of the Cherokee Nation, hereby certify the above is a true copy taken from the marriage record of Delaware District, Cherokee Nation, now filed in this office and is in my custody.

Given under my hand and the seal of the Cherokee Nation this the 18th day of December 1900.

Signed - B. W. Alberty
Assistant Executive Secretary
Cherokee Nation.

(SEAL)

Muskogee, Indian Territory, June 14, 1902.

I, R. A. Stevens, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for the enrollment of Harry R. Hutchinson and Edith F. Hutchinson as citizens by blood of the Cherokee Nation.

R. A. Stevens
Stenographer.

20

IN RE

Application for Enrollment of

INFANT CHILD

Harry R. Hotchinson

a citizen of the

CHERKEE, Nation.

Approved, JAN 8 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 8 1901

ACTING, CHAIRMAN

Cans D 1018

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Harry Ridge Hutchinson, born on the 13th day of Jan, 1897
(Here insert name of child.)
Name of Father: W. C. Hutchinson, a citizen of the Cherokee by adoption Nation.
Name of Mother: Alice Hutchinson, a citizen of the Cherokee Nation.
Postoffice, Southwest City Mo

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
..... District. }

I, ..., on oath state that I am .....
years of age and a citizen, by ....., of the ..... Nation;
that I am the lawful wife of ....., who is a citizen, by
....., of the ..... Nation; that ..... child was
(male or female)
born to me on the ..... day of ..... ; that said child has been
named ..... and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.) .....

Subscribed and sworn to before me this day of ..... *190*....

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, } State of Missouri }
INDIAN TERRITORY. } City of St Louis } ss.
..... District. }

I, Carl Feold, a Physician, on oath state that I
attended on Mrs. Alice Hutchinson, wife of W. C. Hutchinson,
on the 13th day of January, 1897; that there was born to her on
said date a male child; that said child is now living and is said to have been
(Male or female)
named Harry Ridge Hutchinson.

WITNESSES TO MARK:

Carl Feold M.D.

(Must be Two Witnesses.) .....

Subscribed and sworn to before me this 11th *day of* January *190*0
My com. expires Sept 9th 1904.

Harry R. Hutchinson | W. C. Hutchinson

2/18

IN RE

Application for Enrollment of

INFANT CHILD

Edith F. Hutchinson

as a citizen of the

CHEROKEE Nation.

Approved, JAN 8 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 8 1901

Asst. Chairman

Card D 1018

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Edith F. Hutchinson, born on the 7th day of Dec, 1898
(Here insert name of child)

Name of Father: W. C. Hutchinson a citizen of the Cherokee Nation. by adoption

Name of Mother: Alice Hutchinson a citizen of the Cherokee Nation.

Postoffice, South Mud City Miss

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
..... District.

I, ..., on oath state that I am ..... years of age and a citizen, by ....., of the ..... Nation; that I am the lawful wife of ..... who is a citizen, by ..... of the ..... Nation; that a ..... (male or female) child was born to me on the ..... day of ..... 1..... ; that said child has been named ..... , and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.) .....

Subscribed and sworn to before me this ..... day of ..... 190....

..... NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
..... District.

I, B. F. Smith, a Physician, on oath state that I attended on Mrs. Alice Hutchinson wife of W. C. Hutchinson on the 7 day of Dec., 1898 that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Edith F. Hutchinson

B. F. Smith M. D.

WITNESSES TO MARK:

(Must be Two Witnesses.) .....

Subscribed and sworn to before me this 12th day of Dec 1900

COMMISSION EXPIRES MARCH 29 1902

C. E. Kaves NOTARY PUBLIC.

Edith F. Hutchinson / Wm C. Hutchinson. Alice

D1018

I, Mr. Bridgeman, do hereby certify that an examination of the
proceedings in the case, and that the foregoing is a true and cor-
rect transcript of the evidence taken by me on the 1st day of
March, 1909, and the 8th day of March, 1909, before the
Commission, at which time the case was finally submitted.

Dated at Washington, D. C., this 9th day of March, 1909.

[illegible]

R.

C. D-1018.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 14, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of William C. Hutchinson for the enrollment of his children as citizens of the Cherokee Nation.

The applicant was notified by registered letter February 26, 1902, that his application for the enrollment of his children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, I. T., on the 14th day of March, 1902, and that on said date he might appear before the Commission, either in person or by attorney, when an opportunity would be given him to introduce any additional testimony affecting his application. The applicant having this day, to-wit: the 14th day of March, 1902, been called, and failing to respond, it is deemed that his case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Cherokee D-1018.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Harry R. Hutchinson and Edith F. Hutchinson for enrollment as citizens by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on December 18, 1900, William Carlton Hutchinson appeared before the Commission at Tahlequah, Indian Territory, and made personal application for the enrollment, among others, of his two minor children, Harry R. Hutchinson and Edith F. Hutchinson. Further proceedings in the matter of said application were had at Vinita, Indian Territory, on October 4, 1901. The other party to this application is differently classified and is not embraced in this decision.

The evidence shows that on January 24, 1896, William Carlton Hutchinson, a White man, was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, to Flora Alice Polson, a citizen by blood of the Cherokee Nation. That they lived together as husband and wife from the time of their marriage until her death as hereinafter mentioned, and that these applicants were born of that marriage.

The said Flora Alice Polson is identified on the 1880 authenticated roll of the Cherokee Nation, by the name of F. A. Polson, and on the 1896 Census Roll of said Nation: in both cases as a native Cherokee; and on the 1894 strip payment roll of said Nation by the name of Alice Polsom. The father of the applicants is also identified on the said 1896 Census Roll as an adopted White. The applicants are too young to appear on any of the tribal rolls of said Nation, but are identified by birth affidavits filed with the Commission.

The mother of the applicants was born in the Cherokee Nation, and lived there nearly all her life. She was temporarily absent a few years while attending school in Arkansas and in New York. She also spent about three years in St. Louis, Missouri, where she married her said husband under the State Laws in the Fall of 1896. They were later re-married under the Cherokee Laws as before stated. In March 1897 they returned to the Cherokee Nation and resided there continuously with the applicants, their children, until the year 1899, when they went to Colorado temporarily on account of her health, and remained there until she died in May 1900.

The mother of the applicants always claimed the Cherokee Nation as her home, and her absence therefrom was always of a temporary nature, having never acquired a permanent residence elsewhere. After her death, their father returned to said Nation where he has since resided continuously up to and including the date of this application, and the applicants, who are minors of tender years, are presumed to have resided with him up to that time.

It is therefore the opinion of this Commission that Harry R. Hutchinson and Edith F. Hutchinson should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898, (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1901.

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH, SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 26, 1902.

Mr. William Carlton Hutchinson,

Southwest City, Missouri,

Sir:-

You are hereby notified that the application of Harry R., and Edith F. Hutchinson for enrollment as citizen s of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 14 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-1018
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

COPY.

Cherokee D 1018.

Muskogee, Indian Territory, September 30, 1908.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1908, granting the application of William Carlton Hutchinson for the enrollment of his two minor children, Harry R. and Edith F. Hutchinson, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

[redacted]

Enc. C. No. 98.

COPY. Enrollment S - 1018.

Muskogee, Indian Territory, October 26, 1902.

William C. Hutchinson,
Southwest City, Missouri.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of your two minor children, Harry E. and Edith F. Hutchinson, as citizens by blood of the Cherokee Nation.

Respectfully,

R. Brecht...
Acting Commissioner in Charge.

Enclosure S. No. 18.
Register.



Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.



11215

Cher 9811

Eura Scott

Cher 9811

a

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 16 1901

ACTING CHAIRMAN

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., December 18, 1900.

In the matter of the application of Eura Scott for the enrollment of himself as a Cherokee citizen; being sworn and examined by Commissioner Breckinridge she testified as follows:

Q Give me your full name? A Eura Scott.
Q Have you any middle name? A No sir.
Q How old are you? A 20.
Q What is your post-office? A Tahlequah.
Q Do you live in Tahlequah District? A Yes. That's my home.
Q Who is it you want to enroll, just yourself? A Yes sir.
Q Are you a Cherokee by blood? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? A Well for the last year I have been going to school in St. Louis.
Q Have you ever been out of the Cherokee Nation except to attend school? A Not as I know of, no.
Q What's that? A No sir.
Q Give me the name of your father? A Hiram Scott.
Q Is he dead? A Yes sir.
Q Give me the name of your mother? A Sarah Scott.
Q Is she dead? A Yes sir.
Q When were you 20? A Last January 27th.
Q How long has your mother been dead? A Died when I was seven years old.
Q Where did she die? A Here at Tahlequah.
Q How long has your father been dead? A I don't remember my father.
Q How old was your mother when she died? A I don't really know her age.
Q Did she have children besides you? A No sir, I don't think so.
Q You are the only child so far as you know? A Yes sir.
Q Did she die young or was she advanced in life? A I think she was about thirty.
1880 roll examined for applicant and parents and names not found.
1896 roll page 1238 #2907 Eura Scott Tahlequah native
Q Weren't your people admitted to citizenship by the Cherokee council or Commission? A I don't know.
Q Did your family not come from Kansas along about the year 1880 or 1881? A I don't know.
Q Where were you born? A I never learned much about my folks; they died when I was young.
Q But you have some idea about where you were born? A I think it was in Missouri.
Q Have you uncles and aunts living? A On my mother's side I did have; I don't know whether they are living at the present time or not. Sundays;- she was a Suday, before she was married.
Q Where was she married? A I don't know.
Q Have you any evidence of your mother ever having been admitted to citizenship, or your father, by the Cherokee Council or Commission? A Mr. Breckinridge Barnes probably can tell you.
Q Have you any official evidence? A No sir.
Q No certificate of admission? A No sir.

Com'r Breckinridge: The applicant is identified on the rolls of 1896 as native Cherokee; he states that he was born in January and that he is twenty years of age, which would place his birth in January, 1880; he claims to have lived in the Nation all his life; but it appears from his further testimony that he was not born in the Cherokee Nation; had he lived in the Cherokee Nation all his life he should be upon the roll of 1880; not being identified upon that roll, neither are his father or mother identified upon the roll

of 1880; he does not present produce evidence of having been admitted to citizenship by the Cherokee Council or Commission, nor any evidence of such admission of either his father or mother; it does not appear that he ever acquired citizenship in any manner from the testimony now before the Commission, and he will be placed upon a doubtful card as a Cherokee by blood, to await satisfactory evidence of his having been admitted to citizenship or of his having acquired citizenship through his father or mother.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this January 14,1901.

Commissioner.

B

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 18 1900
CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 18 1900 1900.

20

Name Ema Scott Tahlequah I.T.

District TAHLEQUAH. Year 1896 Page 1208 No. 2907

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
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Evidence of ~~admission to~~ citizenship required

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 17 1901

ACTING CHAIRMAN.

"D" #1019.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TAHLEQUAH, I.T., DECEMBER 19TH, 1900.

IN THE MATTER OF THE ENROLLMENT OF EURA SCOTT, "D" #1019.

Eliza M. Alberty, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q Give me your full name? A Eliza M. Alberty.
Q How old are you? A Sixty one.
Q What is your Postoffice? A Tahlequah.
Q How long have you lived in the Cherokee Nation? A All my life.
Q You want to give some testimony in regard to the application of a young man named Eura Scott? A Yes sir.
Q Did you know his mother? A Yes sir.
Q What was his mother's name? A Sarah Sunday, daughter of Anderson Sunday.
Q Was she a native Cherokee woman? A Yes sir. She was taken away from here during the war: Her father was killed during the War, and she married up there a man named Scott, and came back when this boy was a little child.
Q When did she come back? A I think it was in '81 or '2.
Q How long has she been dead? A He was seven years old when she died: She died here at Mr. Barnes'.
Q How old would she be if she were living now? A I did not know her age: They took her off from here when she was a girl.
Q What I am trying to find out is how old she was when she came back here? A I can not tell her age.
Q She was not an old woman was she - quite young? A She married while she was away.
Q Was this her first child? A Yes sir.
Q Her only child? A Yes sir.
Q Was he born soon after her marriage? A Yes sir.
Q Did she marry young? A Yes sir.
Q How old was this young man when she came back here?
A He was just a little young toddling child, and just could talk when she stopped with me.
Q And then she lived here how long? A She lived here until she died.
Q Was that a number of years? A Yes sir: They had taken her away during the war: She lived right here in Tahlequah.
Q Did she live here after she came back, a number of years?
A Yes sir; she died when he was seven years old, and he was only a year old when she came.
Q Was this young man ever in the orphan asylum? A Yes sir.
Q Admitted by the Cherokee authorities? A I just know he went to the orphan asylum.

William W. Hastings, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q Give your full name? A William W. Hastings.
Q Are you one of the represenatives of the Cherokee Nation?
A Yes sir.
Q Did you know the mother of Eura Scott? A Yes sir.
Q This is the young man here - indicating - is he? A Yes sir.
Q Was Eura Scott ever admitted to to the Cherokee orphan asylum?
A Yes sir.
Q He was admitted by the Cherokee authorities? A Yes sir, , he went to school there in 1898 or 1899, one of those years: I was up there and he was in that chool that year.
Q Do you know how old his mother was when she died? A No sir, I never knew her intimately: My recollection is that she did some work at the Male Seminary in 1882 or 1883.
Q That was after she came back, was it? A Yes sir.
Q This young man was a baby then? A Yes sir; he was there at the time; at the male seminary.

Q Was he a student at the Seminary? A I think perhaps about the year I left - in 1884 - he commenced going to school.
Q The point about his being there - at the orphan asylum - is whether he was admitted ~~thereby~~ by the orphan asylum people, as a Cherokee boy? A Yes sir; he was a student at the orphan asylum; this first was at the Male Seminary: His mother was at work there, and I think he perhaps went to school when he was quite a small boy: that was in 1882: He was four, five or six years old: I afterwards taught at the orphan asylum and he was in school there.
Q The question with me to some extent turns on whether his mother was absent from the Cherokee nation in a way that made it necessary for her to be readmitted? A I do not know anything about that.
Q You do not know how old she was when she came back?
A No sir; I only have a faint recollection about her: I remember her being there, and this boy was with her: There were some two hundred or two hundred and fifty of us boys there, and they were staying there.
Q But he was admitted into the Cherokee orphan asylum? A Yes sir. He was admitted afterwards into the Cherokee Orphan Asylum.

Mrs. Alberty recalled:
Q Mrs. Alberty, you say that Eura Scott's mother was taken away by her people during the war? A Yes sir; she was living with some of her realtives when they all went north.
Q She was a child? A Yes sir.
Q And her father was killed just before the war? A Yes sir.
Q When did her mother die? A I do not know.
Q Was she an orphan as far back as you can remember? A Yes sir.
Q Was she an orphan when she was taken north? A Yes sir; I think she was.
Q She was dependent upon those people? A Yes sir, ~~and~~ she came ~~back~~ as soon as she could get back.
Q She always spoke of this as home? A Yes sir; I was at the Male Seminary and she stopped with me the first place she came here. He was just a child.

Robert B. Ross, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:
Q Give me your full name? A Robert B. Ross.
Q How old are you? A Fifty five.
Q What is your Postoffice? A Parkhill.
Q Have you lived in the Cherokee nation all your life?
A Yes sir.
Q Do you know this young man here, Eura Scott? A Yes sir.
Q Did you know his mother? Sarah? A Yes sir.
Q Was her maiden name Scott? A Yes sir; that was what she was known by: She was recognized here as being a Scott.
Q Did you know her all her life? A No sir. I became acquainted with her in about 1882; between '82 and '83.
Q Did you know her mother? A No sir.
Q Did you know who her mother was? A No sir.
Q Was she recognized as a Cherokee woman by blood? A Yes sir.
Q Everybody accepted her as that? A Yes sir; everybody accepted her as such.
Q Was she considered in regular as a descendent of these Cherokee people by blood? A Yes sir.
Q How old was she when you first knew her?
A I do not recollect.
Q Was she quite a young woman? A Yes sir.
Q She had only been married two or three years, has she?
A Yes sir; three or four years.
Q Did she look like a woman who had married early in life; married young? A It was so long that I do not remember.
Q Do you know anything about her coming back to the Cherokee Nation? A My understanding is that she came back in 1882 or 1883.

Q Was her husband dead when she came back? A yes sir.
Q And she brought her child, Eura Scott, with her? A yes sir.

Eura Scott, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:
Q How long did your father live after his marriage to your mother?
A I do not know.
Q Have you any recollection of your father? A No sir.
Q He died when you were an infant? A Yes sir.
Q Do you know how long your father was dead before your mother came back to the Cherokee nation? A No sir.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

A. R. Graves

Subscribed and sworn to before me this 12th day of January, 1901.

C. R. Breckinridge

COMMISSIONER.

D1019

FILED

APR 1 1902

R.

C. D-1019.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 14, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Mary Scott for the enrollment of himself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 26, 190 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 14th day of March, 1902, and that on said date he might appear before the Commission, either in person or by Attorney, when an opportunity would be given him to introduce any additional testimony affecting his application. The applicant having this day, to-wit: the 14th day of March, 1902, been called, and failing to respond, it is deemed that his case is completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

---o0o---

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

FILED
JAN 11 1901

ACTING CHAIRMAN

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T. December, 19th 1900.

S U P P L I M E N T A L T E S T I M O N Y * *

CARD--D 1019.

Henry C. Barns, called and sworn as a witness in the above numbered application, testified as follows before Commissioner Breckinridge.

Q What is your name? A. Henry C. Barns.
Q What is your post office? A. Tahlequah.
Q Are you one of the witnesses here for the Cherokee Nation? A. Yessir
Q Do you know anything about Eura Scott. ? A. Yes sir.
Q Are you his guardian? A. I was.
Q What is his mother's name? A. Sarah.
Q When did his mother die? A. She died in 1887 as well as I remember
Q How old was she when she died? A. 35 I reckon.
Q Do you remember when she came back to the Cherokee Nation? A. I remember when she came to my house in 1882, she said then that she had only been here a short time.
Q This Eura Scott was a little child then? A. Yes sir.
Q Was she taken out of the Cherokee Nation when she was quite small? A. She was about eight years old when she was taken to Missouri.
Q Were her people Cherokees by blood-- so recognized.
Q Mrs. Tom Sandy was a Cherokee by blood and they claim her as their 1/8 sister.
Q Was her mother a Cherokee by blood? A. I think so. Sandys mother was.
Q Did Sarah Scott say why she had staid out of the Cherokee Nation after she was 21? A. No sir.
Q How long did her husband live after their marriage? A. I dont know, She left him and came back to the Cherokee Nation.
Q This was her only child? A. Yes sir.
Q Only one that she ever had? A. Yes sir to my knowledge.

By Mr. Baugh, Cherokee Representative.

Q About what age was this woman when she came back? A. She claimed that she was taken off in the year 1862------about thirty I think.
Q What has been your understanding as to the Denton's being doubtful Cherokees? A. Dont know anything about them.
Q Do you know whether or not she ever applied to the Cherokee Council for re-admission? A. I dont think she did for she was an ignorant woman and didnt know how to do about it.

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Chas. von Weise

Subscribed and sworn to before me this the 11th of January, 1901.

Commissioner.

Cherokee D-1019.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Eura Scott for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N .

The record in this case shows that on December 18, 1900, Eura Scott appeared before the Commission at Tahlequah, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at the same place on December 19, 1900.

It appears from the records in the possession of the Commission that both the applicant and his mother, Sarah Scott, are identified as Cherokees by blood on the 1886 pay roll of the Cherokee Nation, the former by the name of "Orey Scott", age six years; that he is also identified as a native Cherokee on the 1894 strip payment roll, and on the 1896 census roll of said Nation.

The evidence shows that the applicant was born in January 1880, and derives his Cherokee blood through his mother. The latter was taken to Missouri by relatives during the Civil War while she was yet an infant. During the time she was in Missouri, she married Hiram Scott, father of the applicant. In 1882 she returned with her son, the applicant, to the Cherokee Nation, and resided there until her death in 1887. Subsequent to the death of his mother, the applicant was admitted by the tribal authorities to the Cherokee Orphan Asylum as a native Cherokee and spent a year or more there. He has resided in the Cherokee Nation continuously since his return in 1882, with the exception of one year immediately preceding the date of this application, during which time he was temporarily absent attending school.

It is therefore the opinion of this Commission that Eura Scott should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898, (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

9811

COMMISSION

CHAIRMA

*Application No.*_____ DUPLICATE.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
CHEROKEE ENROLLMENT OFFICE.

Vinita, I. T., APR 2- 1903 *A. D. 190*____

To the Clerk in charge of the Cherokee Land Office:

This is to certify that the names of the following persons

Roll Number	Card Number	NAME	Relationship to person First Named	Age
22047	4811 ✓	Emma Scott		22

All appear upon the records of the Commission to the Five Civilized Tribes as citizens of the Cherokee Nation.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

_____ *Chairman.*

_____ *Clerk in Charge.*

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 26, 1902.

Mrs. Euru Scott,

Tahlequah, Indian Territory.

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 14 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-1019
Register.

Acting Chairman.

Commissioner in Charge.

COPY

Cherokee D 1019.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Eura Scott for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. C. No. 96.

COPY.

D - 1019.

Muskogee, Indian Territory, October 24, 1903.

Mura Scott,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1903, granting your application for the enrollment of yourself as a citizen by blood, of the Cherokee Nation.

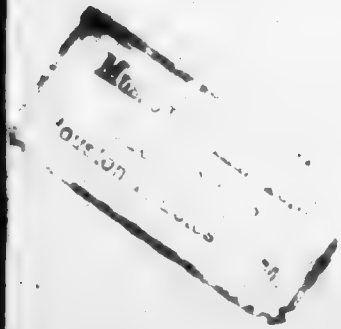
Respectfully,

C. R. Breckinridge.

Commissioner in charge.

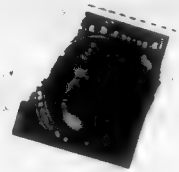
Enclosure C. No. 69.

Register.



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

REGISTERED
OCT
30
1902
MUSKOGEE, IND. TER.



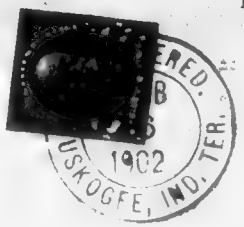
DEC 26 1902
TAHLEQUAH, IND. T.

RETURN TO WRITER

Eura Scott,

Tahlequah, Indian Territory.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.



2716

Miss Dora Scott,

Tahlequah, Indian Territory.

Cher 9812

George L. Henson

Cher 9812

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 16 1901

ACTING CHAIRMAN.

505

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., December 18, 1900.

In the matter of the application of George L. Henson for the enrollment of himself as a Cherokee citizen; being sworn and examined by Commissioner Breckinridge he testified as follows:

Q Give me your full name? A George L Henson.
Q How old are you? A 30 years old.
Q What is your post-office? A Owasso.
Q In what district do you live? A Cooweescoowee.
Q Who is it you want to enroll, just yourself? A Just myself.
Q Are you a Cherokee by blood? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? A No sir, I am a North Carolina emigrant.
Q When did you come here? A 1880 I think.
Q Have you lived here ever since? A Yes sir, only I am now from California; I have been there for my health this winter and part of last summer.
Q When did you go to California? A Left last Thanksgiving a year ago.
Q Left a little over a year ago, A Yes sir.
Q And got back a few days ago? A Got back yesterday in the wagon, come up here.
Q What are you doing out there in California? A For my health principally and I work out there; for my health,- I had hemorrhage of the lungs.
Q Do you keep any property back here? A I have got a farm here
Q As soon as you enroll you are going back to California I suppose? A I am going up here where I belong; I don't know whether I will go back or not; it depends on whether I am advised to by my doctor; I will if I am and if I aint I wont.
Q Did you vote out there in California during this last election?
A No, I wasn't there long enough to vote; I didn't try to vote; the law required me to be there a year and I wasn't there that length of time.
Q Have you got a certificate as to your being admitted with the North Carolina Cherokees? A No sir.
Q What is the name of your father? A Joe Standingwolf.
Q Is he dead? A Yes sir.
Q Give me the name of your mother? A Lurena Henson.
Q Did she come with the North Carolina Cherokees? A Yes sir.
Q Is she dead? A No sir.
Q Wherever, is she living now? A Owasso.
Q Has she lived here ever since she came along in 1880 or 1881?
A Yes sir, never been out of the state to my knowledge.
Q Who is Charlotte? A My wife; she was enrolled I think, at Vinita.
1896 roll page 183 #2416 George Henson Cooweescoowee

Com'r Breckinridge: The applicant states that he came to the Cherokee Nation with the North Carolina Cherokees in 1880 or 1881, and that he has lived in the Cherokee Nation ever since, except that a little more than one year ago he went to California for his health being afflicted with hemorrhage of the lungs, and that he returned only a day or two ago; he states that his stay in California was only for his health, and that he will now continue on at his home in the Cherokee Nation unless he is ordered away temporarily by his doctor. He is identified upon the roll of 1896 as a native Cherokee. He is desired to supply the Commission with an official copy of the record, showing that he is of the North Carolina Cherokees, with it is presumed he will have no difficulty in doing; pending the receipt of that official evidence he will be listed for enrollment as a Cherokee by blood on a doubtful card.

George L. Hanson 2

M.D.Green, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this January 14th, 1903.

Commissioner.

13

EPARTMENT OF THE INTERIOR,
SSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 18 1900

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 18 1900 1900.

(30) Name George L. Henson Oawasee, I.T.

District Coo wee Coowee Year 1896 Page 183 No. 2416

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

On 1880 roll as George Henson

Certificate of admission to be supplied

DEPARTMENT OF THE INTERIOR.
OMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 18 1900

Executive Department,
Cherokee Nation,
Tahlequah, Ind. Terr.
Dec. 18th, 1900.

I, A.B.Cunningham, Assistant Executive Secretary of the Cherokee Nation, do hereby certify that the name of George Henson, age 10, male, appears on page 94, as number 38, of the Roll of North Carolina Cherokees who removed to the Cherokee Nation June 8th, 1881, under an act of the National Council approved December 3rd, 1880. Said Roll now being on file in this office.

In testimony whereof, I hereunto set my hand and affix the seal of the Cherokee Nation the year and day above written,

A B Cunningham
Assistant Executive Secretary.

NOV 12 1901

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T. November 8th 1901.

SUPPLEMENTAL TESTIMONY in the matter of the application of George L. Henson Cherokee D. card #1030.

APPEARANCES:
J. C. Starr for the Cherokee Nation
Applicant present in person.

BY COM'R T. B. NEEDLES:

The applicant presents a certificate signed by the Assistant Executive Secretary of the Cherokee Nation under the Great Seal of the Nation, dated at Tahlequah December 18th 1900, certifying that his name appears on the roll of North Carolina Cherokees who removed to the Cherokee Nation on June 8th 1851 under an act of the National Council approved December 3rd 1850. Said certificate is on filed in the ~~#~~ with the papers in the case.

Upon an examination of the testimony heretofore taken, the Commissioner at this time is of the opinion that the name of the said George L. Henson should be transferred from a doubtful card to a straight card, he having filed satisfactory proof as to his being a Cherokee citizen.

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Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a true and complete transcript of his stenographic notes therein.

Chas. von Weise

Subscribed and sworn to before me this the 8th of November, 1901.

T. B. Needles

Commissioner.

10910

COMMISSION TO

FILED

APR 1 1902

R.

C. R-1080.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 14, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of George L. Benson for the enrollment of himself as a citizen of the Cherokee Nation.

The applicant was notified by registered letter February 14, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 14th day of March, 1902, and that on said date he might appear before the Commission, either in person or by attorney, when an opportunity would be given him to introduce any additional testimony affecting his application. The applicant having, this day, to-wit: the 14th day of March, 1902, been called, and failing to respond, it is deemed that his case is completed, and same will be reported by the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Cherokee D-1020.

FPT
LoR

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

--ooooooooooo--

In the matter of the application of George L. Henson for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 18, 1900, George L. Henson appeared before the Commission at Tahlequah, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at the same place on November 6, 1901.

The evidence shows that the applicant is a native North Carolina Cherokee and that he removed to the Cherokee Nation about 1880 or 1881. It appears from a duly authenticated certificate issued from the Executive Department of the Cherokee Nation, under the seal of said Nation, and now on file with the Commission, that the applicant is identified on the roll of North Carolina Cherokees who removed to the Cherokee Nation on June 8, 1881, under an Act of the National Council approved December 3, 1880. It further appears that he is identified as a native Cherokee on the 1896 Census Roll of said Nation.

The evidence further shows that the applicant has resided in the Cherokee Nation continuously from 1880 or 1881 to the date of this application, excepting a short time from Thanksgiving 1899 to the latter part of 1900, during which time he was temporarily absent in California on account of his health.

It is therefore the opinion of this Commission that George L. Henson should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898, (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 14 1902

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 26, 1902.

Mr. George L. Henson,

Owasso, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

on the 14 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-1020
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

Cherokee D 1020.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of George L. Henson for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. C. No. 97.

COPY.

D - 1000.

Muskogee, Indian Territory, October 24, 1902.

George L. Henson,

Gwasse, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of yourself as a citizen, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Commissioner in Charge.
Acting Chairman.

Enclosure C. No. 68.

Register.

Cher 9813
William L. Miller

Cher 9813

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 10th, 1901.

In the matter of the application of William Leonard Miller for the enrollment of himself, wife and child as citizens of the Cherokee Nation; said Miller being sworn and examined by Commissioner Brecki nridge, testified as follows:

Q Give me your full name, please? A William Leonard Miller.
Q How old are you? A I will be 28 years old the 6th day of next April.
Q What is your post office? A Muskogee.
Q In what district do you live? A I live here in Town now. Canadian is what I claim.
Q How long have you lived here in Town? A I have been living here seven years.
Q What are you doing here? A Just daily labor.
Q Have you been making your home here steadily for the past seven years? A I have been making my home here, me and my faimly.
Q Have you got any property in Canadian? A I have got a place down here on Spaniard Creek.
Q What have you been doing with it? A I have not been doi ng anything but pasturing it.
Q You have been making your home here in Muskogee for the last seven years? A Yes, sir.
Q Who is it you want to enroll, yourself and family? A Yes, sir.
Q You have a wife? A Yes, sir.
Q Howmany children? A One.
Q Are you a Cherokee by blood? A Yes, sir.
Q What is your wife? A Cherokee.
Q By blood? A By blood.
Q Where were you born? A I was born down here in Canadian district.
Q Have you lived in the Cherokee Nation all your life except the past seven years? A Never have lived anywhere else, born and raised in the Cherokee Nation and never have knowed anything else. I have been living here in Town because I could make a better living here than living out in the country; claim no citizenship here.
Q Give me the name of your father? A Lewis Miller.
Q Is he dead? A No, sir.
Q Your mother, please? A Lucinda.
Q Is she dead? A No, si r.
Q Give me the name of your wife? A Addie Lee, the census takers put her name down Mary.
Q What ought it to be? A Her name Was America and they put her down as Mary.
Q How does your wife sign her name? A A. A., America Adella.
Q How old is your wife? A She is 31 I believe the 29th day of last November.
Q You say they have put her down in 1880 as Mary? A Mary if I am not mistaken.
Q What do they call her? A Jessie, she was nicknamed after her Uncle Jess.
Q When were you married? A We were married in 1886.
Q Were you ever married except to this wife? A No, sir.
Q Was she ever married except to you? A No, sir.
Q Was she born in the Cherokee Nation? A She was born in Georgia or North Carolina I mean.
Q Does she belong to what is known as the North Carolina Cherokees; how old was she when she came here? A Two years old.
Q Give me the name of her mother? A [illegible]

Q Is he dead? A Yes, sir, he is dead.
Q Give me the name of her mother? A Her mother was Adeline Johnson.
Q Is she dead? A No, sir.
Q Now, give me the name of your child? A Louis Milo.Miller.
Q How old is that child? A He will be 19 years old the 17th of next month.
Q Now, have you a certificate of marriage between yourself and your wife? A Not with me. I was married in Flint by William McKeith, I guess Walkingstick knows all about it.

1880 Roll; page 781, #1371, Lenard Miller, Tahlequah.
1 80 Roll; page 445, #954, Mary Johnson, Going Snake.
1896 Roll; page 53, #1472, Leonard Miller, Canadian.
1896 Roll; page 53, #1473, Mary Miller, Canadian.
1896 Roll; page 53, #1474, Milo Miller, Canadian.

Q This child Louis Milo is living is he? A Yes, sir, he is alive.
Q Now, Mr. Miller, have you co nsidered ~~the Cherokee~~ yourself a Chero kee citizen all the time you have been living here in Muskogee? A Yes, sir, I have bee keeping up the Cherokee laws, voting and everything in the Cherokee Nation.
Q You have not been voting over here in the Creek Nation? A No, sir.
Q Have you had any business interests at any time over in the Cherokee Nation these seven years? A I had a place over there.
Q Is that a place you abandoned or you kept it? A I kept it.
Q Did you get rents from it? A Yes, sir, until here a while back I sold it.
Q How long back? A It has been a year or two I guess, I do not know exactly. I got into some trouble about it and sold it to keep out of a law suit. I rented it to a white man and could not get him off, and rather than go into a law suit I sold it. I took a place down here on Spaniard Creek, under fence and am using it as a pasture.
Q Have you got stock on it? A I had a man down there owning a couple of ponies and one of them died the other day and have been renting it to so mebody else.
Q How much rent do you get from it? A I get so much a head; it is owing to what they put on i t.

Com'r Breckinridge:--The applicant applies for the enrollment of himself, his wife and one child: He states that he is a Cherokee by blood and has lived in the Cherokee Nati on all his life, except the last seven years he has been making his home in Muskogee. He h as identified on the r olls of 1880 and 1896. He will now be listed for enrollment as a Cherokee by blood, but upon a doubtful card to consider the question of residence as set forth in the t estimony. His wife is identified on the rolls of 1880 and 1896 as a native Cherokee, but the applicant is unable to establish her change of name by marriage by a certificate at this time. He s tates that they were married in 1886. She will now be listed for enrollment as a Cherokee by blood, b t upon a doubtful card to consider the question of residence as in the case of her husband, and to await the certi ficate of marriage establishing her change o f name. The child, Louis M. Miller, is duly identified on the roll o f 1896. He is living and will be listed as a Cherokee by blood on the card with his father and mother.

William L. Miller--2.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 11th day of January, 1901.

C. R. Breckinridge

Commissioner.

01426

...E'T ...F THE ...
N TO THE FIVE CIV...
FILED
JAN 10 1901

Testimony of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 10 1901 1900.

38 Name William R. Miller Muskogee, I.T.

District TAHLEQUAH Year 1880 Page 781 No. 1371

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

31 Wife's name America A. Miller

District GOING SNAKE. Year 1880 Page 445 No. 95 ½

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

3 Louis M. Miller Dist. CANADIAN. Year 1896 Page 53 No. 1424 Age 14

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

No 1 on 1880 roll as Lenard Miller

" 2 " 1880 " " Mary Johnson

" 3 " 1896 " " Milo Miller

No 2 - evidence to be supplied a marriage

DEPARTMENT OF THE IN
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 17 1901

CHAIRMAN

SUPPLEMENTAL TESTIMONY.

D #1026.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 11th, 1901.

WILLIAM LEONARD MILLER supplements his testimony for enrollment as a citizen of the Cherokee Nation by the following testimony: said Miller being sworn and examined by Commissioner Breckinridge, testified as follows:

Q You are Leonard Miller, are you? A Yes, sir.
Q Mr. Miller, you made application for enrollment for yourself and wife yesterday I believe? A Yes, sir, myself, wife and child.
Q What did you say your age was at that time? A 37 past, 38 in April next.
Q And the name of your wife, what is that? A They have got her name down Mary in the census roll, it is America.

Com'r Breckinridge:--The applicant produces a marriage ~~licxx~~ certificiate signed by the Clerk of Flint district and under the seal of his office stating that on the 2d day of February, 1886, he performed the marriage ceremony between the applicant and America Johnson. This is considered satisfactory proof of the marriage of these parties, and at the request of the applicant the certificate is returned to him, and this supplementary testimony will be filed with his case, D card #1026, and a proper note will be made upon his card.

---oooOOOooo---

J. O. Rosson, being first dulysworn, states that as stngographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings of the above named witness in full and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subsdribed and sworn to before me this 12th day of January, 1901.

Commissioner.

Cherokee D 1026.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of William L. Miller for enrollment of himself, his wife, America A. Miller, and his son, Louis M. Miller, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 10, 1901, William L. Miller appeared before the Commission at Muskogee, Indian Territory, and made personal application for enrollment of himself, his wife, America A. Miller, and his son, Louis M. Miller, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory on January 11, 1901.

The evidence further shows that the applicant, William L. Miller, and America A. Johnson were lawfully married on the 2nd day of February, 1886; that he and his wife are Cherokees by blood and are identified on the 1880 authenticated tribal roll of the Cherokee Nation and the 1896 census roll; that since their marriage they have lived together continuously as husband and wife in the Cherokee Nation, Indian Territory, except the last 7 years, during which time they have been residents of Muskogee, in the Creek Nation in said Territory. Their son, Louis M. Miller, is identified on the 1896 census roll and, at the date of this application and for several years previous thereto, has resided with his parents.

It is, therefore, the opinion of this Commission that William L. Miller, America A. Miller and Louis M. Miller should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of the Act of Congress, approved June 28, 1898 (30 Stats. 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COPY.

Cherokee D 1096.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of William L. Miller for the enrollment of himself, his wife, America A. Miller, and his son, Louis M. Miller, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

By

Acting Chairman.

Enc. C. No. 98.

COPY.

D - 1026.

Muskogee, Indian Territory, October 24, 1902.

William L. Miller,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 26, 1902, granting your application for the enrollment of yourself, your wife, America A. Miller, and your minor child, Louis M. Miller, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge.

Acting Chairman.

Enclosure C. No. 67.

Register.

Cher 9814

Dave Fox

Transferred from D1040

Cher 9814

S-E.E.

JAN

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., January 15, 1901.

In the matterof the application of Sarah Fox for the enrollment of three children as Cherokee citizens; she being sworn and examined by Commissioner C.R.Breckinridge, testified as follows:

Q Give me your full name. A Sarah Fox.
Q How old are you? A About 65.
Q What is your postoffice? A Fort Gibson. I live here in Muskogee now.
Q Muskogee now? A Yes sir.
Q In what district do you live in - do you live in the Cherokee Nation? A Yes sir.
Q Do you live in Canadian district? A Yes sir.
Q Who is it you want to enroll; yourself? A Myself and children.
Q No husband, have you? A No, he's dead.
Q How many children have you? A Five children.
Q Are these children all under 21 years of age? A Part of them under age.
Q You can't apply for those over 21; how many have you got under 21? A Three.
Q Are you a Cherokee by blood? A Yes, I am part of it.
Q Do you claim to have Cherokee blood in you? A Yes sir.
Q How long have you lived in the Cherokee Nation? A I have lived there ever since the great war.
Q How long has your husband been dead? A About 15 years.
Q What is his name? A Creek Jim Fox.
Q Now in these children, you have got one named Dave, born in 1880. He is 20 years old, isn't he? A Yes.
Q This copy out of the family record says that Susie Fox was born in 1883; she's 17? A Yes.
Q And Lucinda was born in 1886; she was 14 then, is that right? A Yes.
Q Is that the youngest one? A Yes, she is the youngest one.
Q These children all three living, are they? A Yes sir.
1880 roll; page 544, #944 Sarah Jim, Illinois district.
1880 roll; page 545, #979, Dave Jim, Illinois district.
1896 roll; page 859, #676, Sarah Fox, Illinois district.(on the roll as a Creek).

By W.W.Hastings, representative of the Cherokee Nation-
Q Are you part Creek and part Cherokee? A Yes sr.
Q Have you been enrolled on the Creek roll? A Yes sir.
Q You have been enrolled [redacted] and you want your children enrolled now? A Yes sir. (redirect)
1896 roll; page 859, #680, Dave Fox, Illinois district (Creek)
1896 roll; page 859, #681, Susie " " " "
1896 roll; page 859, #682, Cynthia" " " "
Q You don't want to be enrolled yourself as a Cherokee; you just want these three children enrolled, is that it? A Yes sir.
Q You just want these children put on the Cherokee roll; you don't want to go on it yourself? A No sir.
Q All these three children living with you at this time in the Cherokee Nation? A Yes sir.
Q Have they always lived with you? A Yes, they always have.

By W.W.Hastings-
Q Did you apply to have these children enrolled as Creeks? A Yes sir.

re-direct:
Q You have applied to have these three children put down as Creeks, have you? A Yes, they never was put down.

Commissioner Breckinridge-
The applicant applies for the enrollment of three of her

children, who are minors. She is identified on the roll of 1880 as a Native Cherokee, and on the roll of 1896 as a Creek. She states that she has lived in the Cherokee Nation ever since the Civil War, and that she has applied for the enrollment of these three children as Creeks, but it does not appear that any decisive decision has been reached in regard to that application. The record in connection therewith is not consulted just at this moment. The oldest child, Dave Fox, is identified on the roll of 1880 as a Cherokee, and on the 1896 roll as a Creek. The child, Susie, is identified on the roll of 1880 as a Creek, and likewise the child, Lucinda; they are living now. All three of these children are said to be now living with their mother in the Cherokee Nation, and to have so lived continuously since their birth. In order to consult the status of the Creek roll, these children will now be listed on the check by blood, but upon a doubtful card, and the final decision will be made known to the applicant at her postoffice address.

E.G.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E.G. Rothenberger

Subscribed and sworn to before me this 18th day of January, 1901.

Commissioner.

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 15 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 15 1901 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Sarah

District Year Page 544 No. 944

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

1 Dave Fox	Dist. Illinois	Year 1880	Page 545	No. 978	Age 20
2 Susie "	Dist. Illinois	Year 1896	Page 559	No. 681	Age 17
3 Lucinda "	Dist.	Year 1896	Page 559	No. 682	Age 14
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

ILLINOIS.

Dismissed

Sarah Fox

Dave Fox

Cynthia Fox

No 1 on 1896 roll as

" 3 " 1896 " "

Listed by Sarah Fox (P.O. Muskogee) who is the mother

Probably Creeks

(Copy)

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., FEBRUARY 21st, 1901.

In the matter of the enrollment of Pasy Fox as a citizen of the Cherokee Nation; Sarah Fox being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Sarah Fox.
Q How old are you, Mrs. Fox? A Something over 50.
Q What is your post office? A Muskogee now.
Q What district do you live in, in the Cherokee Nation? A Canadian district.
Q Are you a recognized citizen of the Cherokee Nation? A I was when I lived over yonder.
Q Who do you want to enroll? A Two girls there; they want to stay in the Cherokee Nation.
Q How old are these children of yours; are these your girls?
A Yes, sir.

PASY FOX, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Pasy Fox.
Q How old are you? A 23.
Q What is your post office address? A Fort Gibson.
Q Where do you live? A In Illinois district.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Are you also on the rolls of the Creek Nation? A I don't know.
Q Well now, do you want to be a Cherokee citizen or Creek citizen?
A Cherokee.
Q You elect to be a Cherokee do you? A Yes, sir.
Q What is your mother's name? A Sarah Fox.
Q Is she living? A Yes, sir.
Q What is your father's name? A James Fox.
Q Is he living? A No, sir.
Q Where were you born? A In the Cherokee Nation.
Q Have you always lived in the Cherokee Nation? A Yes, sir.
Q Didn't you never live in the Creek Nation? A No, sir.
Q Was your father a Creek? A Yes, sir.
Q Is your mother a Cherokee or Creek? A Cherokee.
Q And your father was known as Jim Fox, was he? A Yes, sir.

Tribal Rolls of citizens of the Cherokee Nation examined and applicant's name found thereon as follows:
1880 Authenticated Roll; page 544, #948, Passie Jim, Illinois District.
1896 Census Roll; page 859, #679, Passie Fox, Illinois District.

Q You have always lived in the Cherokee Nation, have you?
A Yes, sir.
Q Are you married? A No, sir.

Com'r Needles:--The name of Pasy Fox is found upon the authenticated roll of 1880 as Passie Jim and she is duly identified as the applicant, Pasy Fox, and her name is also found upon the Census Roll of 1896. It appears from the records of the Creek Nation now in the possession of this Commission in regard to Creek citizenship that the said Past Fox made application to be enrolled as a Creek citizen and the final judgment as to her application as a Creek has not been given, her application is still pending. Now comes the said Pasy Fox and elects to take her allotment in the Cherokee Nation and to be enrolled as a Cherokee citizen. She is duly identified according to the page and number of the rolls and makes satisfactory proof as to her residence, consequently the said Pasy Fox will be duly listed for enrollment as a Cherokee citizen by blood

Fanny Pan--#.

J. G. Reason, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. G. Reason.

Subscribed and sworn to before me this 23d day of February, 1901.

(Signed) T. B. Needles,

Commissioner.

DEPARTMENT OF
CO SION

S U P P L E M E N T A L T E S T I M O N Y.

D. #1040.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., FEBRUARY 21st, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of DAVID, SUSAN and LUCINDA FOX, as citizens of the Cherokee Nation:

SARAH FOX, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Sarah Fox.
Q What is your age? A Over 50.
Q What is your post office? A Muskogee here.
Q Where do you reside? A I live out five miles from here.
Q Canadian district? A Yes, sir.
Q Now who do you desire to have enrolled as Cherokees? A All these children.
Q David and Susan and Lucinda? A Yes, sir.
Q How old is David? A I think he is 20.
Q How old is Susan? A She is 17.
Q How old is Lucinda? A 14.
Q Are you a Cherokee by blood? A I am half Cherokee and half Creek.
Q What was your mother? A She was a Creek Indian.
Q Your father was a Cherokee? A Yes, sir.
Q You elect for these three minor children of yours to be enrolled as Cherokees or Creeks? A Cherokees.

Com'r Needles:--Sarah Fox appears and elects that her three children, David, Susan and Lucinda, be enrolled as Cherokees citizens and reference is made to the original testimony in the case.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J O Rosson

Subscribed and sworn to before me this 23d day of February, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR [illegible] 1901
ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE LAND OFFICE, SEP. 27, 1899.

In the matter of the application of Moses Fox, Bessie Fox, Dave Fox, Susan Fox and Cynda Fox, for enrollment as citizens of the Creek Nation, the witness, Sarah Fox, being duly sworn by John G. Lieber, a Notary Public, testified as follows:

By Mr. D.W.Yancey.

Q Are you the mother of Moses, Bessie, Dave, Susan and Cynda Fox? A Yes, all of them.
Q Are you also the mother of Jennie Fox Miller and Eliza Fox?
A Yes.
Q Are you the Sarah Fox that was recognized as a citizen by the Colbert Commission? A Yes.
Q And in the judgement they left out the names of the children now applying for enrollment? A Yes, they left them out.
Q You are a citizen of the Creek Nation? A Yes.
Q The father of these children now applying for citizenship was a Creek citizen? A Yes.
Q Was he a full blood? A Yes he was a full-blood, but he never lived over here though.
Q How many of your children were recognized as citizens of the Creek Nation at the same time you were by the Colbert Commission? A Three.
Q Can you name them? A Yes. Frank B. Cordry, Jennie Fox, (now Jennie Miller), and Eliza Fox.
Q What relation are they and your children who are now applying for recognition? A They are full sisters and brothers.
Q Are these children all Creeks by blood? A Yes.
Q Were they living with you at the time the Colbert Commission rendered this decision? A Yes, all living with me.
Q Do you know why these children were not recognized at the time your other children were recognized by the Colbert Commission? A I don't know.
Q Have you ever heard any explanation of why they are not named in the judgment? A No, I never heard any.
Q Have you not heard that the Clerk in copying the record left these children's names out by mistake? A Yes.
Q Is that the only reason that you know why their names do not appear? A They said they forgot to put them on or something of that kind.

MANDY MURDOCK, being duly sworn and examined testified:

Q What relation are you to Sarah Fox, witness last on the stand?
A Half sister.
Q Do you know the children who are now applying for recognition as citizens, Moses Fox, Bessie Fox, Dave Fox, Susan Fox and Cynda Fox? A Yes.
Q Whose children are they? A My sister's children.
Q What is her name? A Sarah Fox.
Q In the judgement of the Colbert Commission Sarah Fox, Frank B. Cordry, Jennie Fox and Eliza Fox are recognized as Creek citizens; what relation are Moses, Bessie, Dave and Cynda to these children? A They are brothers and sisters.
Q Do you know Moses Fox's father? A Yes.
Q Was he a full-blood Creek Indian? A Yes.
Q What was his name? A Jim Fox.
Q How near did you live to Sarah Fox and these children in September 1898? Where were they living and where were you living? A Right in the house with them.

Q Were these children all living with their mother at that time? A Yes.
Q Do you know the ages of these children? A No sir.

MRS. SUE M. ROGERS, being duly sworn and examined , testified:

Q Were you the Clerk or Secretary of the Colbert Commission?
A I was the principal Clerk.
Q On the 30th day of September, 1896, the Colbert Commission rendered a judgment on the application of Sarah Fox and her children for recognition as citizens of the Creek Nation, do you remember what that judgment was? A Yes.
Q What was it, please? A The judgment was that the family of Sarah Fox was presented to the Citizenship Commission by Mr. Berdolf, and after taking the testimony, quite an argument in Court in the consideration of the testimony was given on the names of two children I remember, and Mr. Berdolf was called in and explained that Mrs. Fox was sick and he had those names and had lost them all and put the older ones down as he remembered them, and those two children, I can't remember their names, and so I put them down in the application as the names of two children not remembered. This is was after the testimony was in and while the case was under consideration by the Court alone, they called him in there and he made that statement, and they said that they would let them in, and they did admit them, and I sat there and wrote out the judgment, and they stated the evidence fully sustained the claims of the application, and I wrote it out in a few words, and I remember that I did not have time to turn to the application and get the names, and after I wrote the judgment we passed it on and the Recording Secretary turned to the application and inserted the names.
Q The application to the Colbert Commission names Sarah Fox and her children, Frank B. Cordry, Jennie Fox, now Miller, Susan Fox, Dave Fox and two children, named not remembered ; it is it your recollection that the judgment of the Commission was to admit all of these people? A yes.
Q Do you know any reason why the names of the applicants in the petition for admission, and who were, as youx say, admitted, were not incorporated in the decision or judgment of the Colbert Commission? A No sir, I cannot see any reason why unless it be a clerical omission on part of the Clerk.

(Mrs. Rogers revised her testimony)

Department of the Interior, Commission to the five Civilized Tribes: I hereby certify , upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic Notes.

(Signed) Brown McDonald.

DEPARTMENT OF [illegible]
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR [illegible] 1901

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE LAND OFFICE, MAY 22, 1900.

In the matter of the application of Moses Fox, Passie Fox, Dave Fox, Susan Fox and Cynda Fox for enrollment as citizens of the Creek Nation.

IDA THROCKMORTON, being sworn by Commissioner Needles testified as follows:

Q What is your name? A Ida Throckmorton now, I was Ida Cummings.
Q How old are you? A 24.
Q What is your post office? A Okmulgee.
Q Are you a citizen of the Creek Nation? A Yes.
Q Have you ever held any official position with the Creek Nation? A Only as Clerk for Citizenship Commission.
Q Who was President of that Commission? A James Colbert.
Q Do you recognize this record book that is here? A Yes.
Q State what it is, please? A It is a record book. The record book of the citizenship Commission
Q That is the Citizenship Commission of which you were the recording secretary is'nt it? A Yes.
Q Turn to page 140 1/2 and tell me whose handwriting it is?
A It is my hand writing.
Q What is the record on that page? A It is a case filed before the Commission touching the citizenship of the Fox family. It is the decision. in
Q You stated that was your handwriting? A Yes.
Q Can you discover any error or any mistake in the decision there as you have entered? A The decision is allright only leaving the names out.
Q The decision states that "The evidence in this case fully sustained the claim to citizenship in the Muskogee Nation by blood as set forth in the allegation"-- do you know whether or not the decision was to admit all of the people that were named in the allegation or petition? A Yes, they admitted them all.
Q Do you know how it happened that you only named three of the children and there were eight children in the case? A It was the last day of the Commission and they intended to adjourn that day and they rushed me so that I left the names out.
Q Do you know the Fox family personally yourself? A Well, I could not say that I knew them personally; they were there, but I do not know whether I could identify them or not. I was quite busy all the time.

ELLA ELIZA FOX, being ~~duly~~ sworn by Commissioner Needles, testified:
Q How old are you? A 26.
Q What is your post office? A Port Gibson.
Q Are you a citizen of the Creek Nation? A Yes.
Q What relation are you to the children named in this application for enrollment? A They are full-blooded brothers and sisters of mine.
Q At the time ~~of~~ this application was made in September, 1899, the stenographer wrote one name here as Bessie Fox is that the correct name? A No sir.
Q What is the correct name of your sister? A Passie.
Q The names of the others Moses, Dave, Susan and Cynda are correct are they? A Yes,

Department of the Interior, Commission to the Five Civilized Tribes. I Hereby Certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct ~~transcription~~ translation of my stenographic notes.

(Signed) Brown McDonald

D1040

G

OF THE INTERIOR,
CIVILIZED TRIBES.

1902.

I, W. D. Green, do hereby certify that I am a stenographer to the Commission to the Five Civilized Tribes and that the foregoing is a true and correct transcript of my stenographic notes taken in the case of [illegible] vs. [illegible], contest, in the matter of the application of [illegible] for [illegible] allotment as [illegible] Indian Territory, before the Commission at its office in Muskogee, Indian Territory, on the 15th day of March, 1902.

On this the 15th day of March, 1902, appellant having been called, and failing to respond, either in person or by attorney, the case is dismissed, and will be reported to the Commission for final action, based upon the evidence now of record.

2

C. R-10[illegible]

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 15,1902.

SUPPLEMENTAL PROCEEDINGS, in the matter of the application of Sarah Fox for enrollment of her children as Cherokee citizens.

Appearances:
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter on February 27,1902, that her application for the enrollment of her children would be taken up for final consideration by the Commission at its office in Muskogee, Indian Territory, on the 15th day of March,1902.

On this the 15th day of March,1902, applicant having been called, and failing to respond, either in person or by attorney the case is deemed completed, and will be reported to the Commission for final decision, based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Moses Fox, Bessie (or Passie) Fox, Dave Fox, Susan Fox and Cynda Fox as citizens of the Creek Nation.

D E C I S I O N .

It appears from the record in this case that on September 27, 1900, Sarah Fox appeared before this Commission, at Muskogee, Indian Territory, and made application for the enrollment of her children, Moses Fox, Bessie (or Passie) Fox, Dave Fox, Susan Fox and Cynda Fox, as citizens of the Creek Nation and that additional testimony, in support of said application, was taken on May 22, 1900.

It also appears that the right to enrollment of the parties above named is based upon the judgment of the Creek Citizenship Commission, commonly called the Colbert Commission, rendered on September 30, 1896, but in which the names of the applicants herein were not mentioned or included; the claim being made that their names were erroneously omitted from said judgment.

There have been attached to the record in this case copies of the testimony taken on January 15 and February 21, 1901, in the matter of the application for the enrollment of Dave Fox, Susie Fox, Lucinda Fox and Pasy Fox as citizens of the Cherokee Nation, showing their election to be enrolled as Cherokee citizens, and from which it appears that the names of the mother, Sarah Fox, and the children, Dave Fox and Pasy Fox, are found upon the 1880 authenticated Cherokee roll and that Susan Fox and Cynda Fox were born subsequent to 1880.

It further appears from the testimony of the mother, Sarah Fox, taken on January 15, 1901, that Moses Fox is more than twenty-one years of age and it does not appear of record that he has ever made personal application to this Commission for enrollment as a citizen of either the Cherokee or Creek Nation. The tribal rolls of the Cherokee Nation have been examined and the name of Moses Fox is found upon the 1880 Cherokee roll, No. 947, as Moses Jim, and upon the 1896 Cherokee roll, No. 678, as Mose Fox.

It further appears from an examination of the Creek tribal records in the possession of this Commission that the applicants herein have never been recognized by the tribal authorities of the Creek Nation as citizens of said nation; that their names do not appear upon any of the Creek tribal rolls; and that they have not been admitted to citizenship in the Creek Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Creek Nation, or by the United States Court in Indian Territory, on appeal, in accordance with the provisions of the act of June 10, 1898 (30 Stats.,321).

It is therefore the opinion of the Commission that Moses Fox, Bessie (or Passie) Fox, Dave Fox, Susan Fox and Cynda Fox are not citizens of the Creek Nation and duly and lawfully enrolled or admitted as such, and that the application for their enrollment as citizens of the Creek Nation should be denied without prejudice to their claims to citizenship in the Cherokee Nation and it is so ordered.

Commission to the Five Civilized Tribes.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, I. T., this 7th day of May, 1902.

Cherokee D 1040.

D.H.L. 60

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the appliqation of Sarah Fox for enrollment of her children, Dave Fox, Susie Fox and Lucinda Fox, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 15, 1901 Sarah Fox appeared before the Commission at Muskogee, Indian Territory and made personal application for enrollment of her children, Dave Fox, Susie Fox and Lucinda Fox, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory February 21, 1901 and March 15, 1902.

The evidence shows that the applicants are Cherokees by blood; that their mother, Sarah Fox, and the said Dave Fox are identified on the 1880 authenticated tribal roll as Native Cherokees, and that all of the applicants are also identified on the 1896 Cherokee census roll as Creeks.

The evidence further shows that the applicants were minors at the time of the making of this application and that their father has been dead about thirteen years; that their mother has lived in the Cherokee Nation all of her life and that they have resided with her continuously since their birth.

It is, therefore, the opinion of this Commission that Dave Fox, Susie Fox and Lucinda Fox should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902

Mrs. Sarah Fox,

Muskogee, Indian Territory.

Madam:-

You are hereby notified that the application of Dave, Susie, and Lucinda Fox

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

15 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-1046
Register.

Acting Chairman.

(COPY)

Muskogee, Ind.Ter., May 9, 1902.

The Honorable,

The Secretary of the Interior,

Washington, D. C.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application of Sarah Fox for the enrollment of her children, Moses, Fannie, Dave, Susan and Cynda Fox, as citizens of the Creek Nation, including the decision of the Commission, dated May 7, 1902, denying said application.

Yours truly,

T. B. [redacted]

Commissioner in Charge.

Through the

Commissioner of Indian Affairs.

Creek-33.

1 enclosure.

DCH.

(COPY)

Muskogee, Ind.Ter., May 8, 1903.

Sarah Fox,

Fort Gibson, Ind.Ter.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application made by you for the enrollment of your children, Moses, Fannie, Dave, Susan and Cynda Fox, as citizens of the Creek Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Yours truly,

T. B. [redacted].

Commissioner in Charge.

Creek-38.

1 enclosure.

Registered.

DCE.

(COPY)

Muskogee, Ind.Ter., May 6, 1903.

A. P. McKellop, Esq.,
H. C. Reed, Esq.,
Attorneys for Creek Nation,
Muskogee, Ind. Ter.

Gentlemen:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application made by Sarah Fox for the enrollment of her children, Moses, Fannie, Dave, Susan and Cynda Fox, as citizens of the Creek Nation.

The decision, with a copy of the proceedings had in the case, in this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Yours truly,

W. R. [redacted]
Commissioner in Charge.

Creek-22.
1 enclosure.
Registered.

DCM.

(G & P T)

Refer in reply to the following:
Land
28267-1902.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

WASHINGTON, May 15, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made May 6, 1902, by the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Sarah Fox for the enrollment of her children, Moses, Bessie (or Fannie), Dave, Susan and Cynda Fox, as citizens of the Creek Nation.

May 7, 1902, the Commission reports that the parties had theretofore made application for enrollment as members of the Cherokee tribe of Indians except Moses Fox, who had not made application for enrollment in either tribe, and it states that their names appear on the Cherokee Roll. The Commission therefore rejected their application for enrollment as Creek citizens without prejudice to their claims to citizenship in the Cherokee Nation.

In the opinion of this office these applicants, having once elected to make application for enrollment as members of the Cherokee tribe of Indians, their application for enrollment in the Creek Nation [illegible]

moreover, the evidence tends to show that the applicants are entitled to enrollment in the Cherokee Nation and not in the Creek Nation.

It is therefore respectfully recommended that the Commission be advised that its decision is affirmed.

Very respectfully,

Your obedient servant,

A. G. [redacted],

Acting Commissioner.

WCT
3

2 inclosures.

(C O P Y)

34067

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.5144-1902. June 9, 1902.

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

The Department has considered the case involving the application of Moses, Bessie (or Fannie), David, Susan and Cynda Fox, by their mother, Sarah Fox, for enrollment as citizens of the Creek Nation, the subject of your letter of May 6, 1902, and of Indian Office letter of May 15, 1902.

The testimony in this case was taken in 1899 and 1900, and copies of testimony taken in 1901 in the matter of the application for enrollment of David, Susie, Lucinda and Fanny Fox as citizens of the Cherokee Nation, are furnished. You state that Moses Fox is 21 years of age, and has not made application for enrollment as a citizen of either the Cherokee or Creek Nation. It appears that his name is on the 1880 and 1896 Cherokee roll. You found that the right to enrollment of the applicants is based upon the judgment of the Creek [illegible] Commission, rendered and [illegible] the Seminole Commission, rendered on [illegible], 1898, by [illegible] the [illegible] of the [illegible]

included, the claim being made that their names were inadvertently omitted from said judgment; that they have never been recognized by the tribal authorities of the Creek Nation as citizens of said nation; that their names do not appear upon any of the Creek rolls, and that they have not been admitted to citizenship in the nation by your Commission, or by the authorities of the nation, or by the United States Court in accordance with the provisions of the act of June 10, 1896, (29 Stat., 321), and you hold that the application should be denied without prejudice to their claim to citizenship in the Cherokee Nation.

The Acting Commissioner concludes that as these applicants (omitting, of course, Moses Fox) have elected to make application for enrollment as citizens of the Cherokee Nation, the application for enrollment in the Creek Nation should be rejected; that, also, the evidence tends to show that they are entitled to enrollment in the Cherokee Nation and not in the Creek Nation.

The Department affirms your decision and incloses herewith a copy of the Acting Commissioner's letter.

Respectfully,

THOS. RYAN.

Acting Secretary.

3 inclosures.

MD.

Confidential

1040.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH, SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Ind.Ter., June 23, 1902.

Cherokee Enrollment Division,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

You are hereby advised that the Secretary of the Interior, under date of June 9, 1902, affirmed the decision of the Commission, dated May 7, 1902, denying the application for the enrollment of Moses, Bessie (or Passie), Dave, Susan and Cynda Fox, as citizens of the Creek Nation.

It appears from copies of testimony on file in Creek Enrollment Division that application has been made for these people for enrollment in the Cherokee Nation, and that they have elected to be enrolled in said nation. It further appears that they have been listed as Cherokees by blood, upon doubtful card, pending the determination of their citizenship in the Creek Nation.

Yours truly,

Commissioner in Charge.

Creek-28.
OCH.

COPY

Muskogee, Ind.Ter., June 23, 1903.

Sarah Fox,

Fort Gibson, Ind. Ter.

Dear Madam:

You are hereby advised that the Secretary of the Interior, under date of June 9, 1903, affirmed the decision of the Commission, dated May 7, 1903, denying the application made by you for the enrollment of your minor children, Moses, Bessie (or Fessie), Dave, Susan and Cynda Fox, as citizens of the Creek Nation.

Yours truly,

T. B. [redacted].

Commissioner in Charge.

Creek-22.

OCE.

COPY

Muskogee, Ind.Ter., June 23, 1903.

A. P. McKinley, Esq.,
E. C. Reed, Esq.,
Attorneys for Creek Nation,
Muskogee, Ind. Ter.

Gentlemen:

You are hereby advised that the Secretary of the Interior, under date of June 9, 1903, affirmed the decision of the Commission, dated May 7, 1903, denying the application of Sarah Fox for the enrollment of her minor children, Emma, Jessie (or Fannie), Dave, Susan and Cynda Fox, as citizens of the Creek Nation.

Yours truly,

T. B. [illegible]
Commissioner in Charge.

Enclosure.
[illegible]

COPY.

Cherokee 2 1040.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Sarah Fox for the enrollment of her minor children, Dave, Susie and Lucinda Fox, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. C. No. 104.

COPY.

S - 1068.

Muskogee, Indian Territory, October 24, 1902.

Sarah Fox,

Ft. Gibson, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your three minor children, Dave, Susie and Lucinda Fox, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.
Commissioner

Enclosure C. No. 80.

Register.

Cher 9815

George W. Petty

Trans. from D1047

Cher 9815

D1047

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 21 1901

CHAIRMAN

APPLICANT'S WIFE REJECTED. His Child Doubtful.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., JANUARY 17th, 1901.

IN THE MATTER OF THE APPLICATION OF John T. Petty for the enrollment of himself, wife and child as citizens of the Cherokee nation, and said Petty, appearing before the Commission and being sworn and examined testified as follows:

Q What is your name? A John T. Petty.
Q How old are you? A Twenty eight.
Q What is your Postoffice address? A Bennett.
Q Do you apply for the enrollment of any one besides yourself?
A Myself, one child and my wife.
Q Are you living in the Cherokee nation? A Yes sir.
Q Are you a Cherokee by blood? A Yes sir.
Q What degree of Cherokee blood do you claim? A One eighth.
Q What district are you living in? A Canadian.
Q How long have you lived in the Cherokee nation?
A Born and raised here.
Q Have you been outside of the Cherokee nation for any purpose within the past three years? A No sir.
Q What is the name of your father? A John W. Petty.
Q Is he living? A yes sir.
Q Was your father a Cherokee? A No sir.
Q What is the name of your mother? A Rachel.
Q Is she living? A No sir.
Q Was your mother a Cherokee? A Yes sir.
Q What is the name of your wife? A Emily Ann.
Q Is she living? A Yes sir.
Q How old is she? A Eighteen.
Q Is she a Cherokee or white woman? A She claims to be a Cherokee.
Q Has she ever been recognized as a Cherokee citizen? A No sir.
Q What is the name of her father? A Sam Brown.
Q Is he living? A No sir.
Q What is the name of her mother? A Mary Jane.
Q Is her mother living? A Yes sir.
Q What is the name of your child? A George W.
Q How old is the child? A About two years old the first day of March.
Q This child is alive and living with you at this time? A Yes sir.
Q Your present wife, Emily Ann Petty, is the mother of the child?
A Yes sir.
Q When were you married to her? A I was married to her -- I can not tell the exact date without some papers -- the 21st day of September, 1897.
Q Have you any evidence of your marriage? A No sir, not with me.
Q Have you a license at home? A No sir, I have a certificate from the man that married me, with me.

COMMISSION: The applicant presents a certificate from W. J. Hill, Minister of the Gospel, certifying that he solemnized the rights of matrimony between J. T. Petty and Emily A. Brown, on the 21st day of September, 1897. The certificate is filed herewith.

Q Were you ever married before you married this woman?
A yes sir.
Q What is the name of your first wife? A Her name was Edith B. Brannon before we married.
Q Is she living or dead? A She's dead.
Q When were you married to her? A I disremember the date.
Q About when? A About seven or eight years ago.
Q How long did you live with her? A I lived with her six weeks.
Q Were you divorced from her? A No sir.
Q Has she ever been divorced from you? A I married and so did she.
Q Was either of you ever secured a divorce? A I sued for [illegible]
Q Did you Neither of you ever secured a divorce? A I sued for [illegible]
[illegible] Residence was known. And he told me I did not need [illegible]
[illegible] become.

Q So, the suit was withdrawn, was it? A Yes sir.

By Mr. W. W. Hastings, Cherokee Represenative:
Q Did she apply to the Dawes Commission, and was she admitted as an adopted citizen? A Yes sir.

COMMISSION:
Q Does your name appear upon the authenticated roll of 1880?
A It ought to.
Q Where were you living at that time? A Texanna.
Q In Canadian District? A Yes sir.
Q Were you living there in 1896? A No sir.
Q Where were you living then? A Where I am living now.
Q Did your wife ever apply to the Dawes Commission for enrollment as a citizen of the Cherokee Nation? A I suppose she did.
Q I mean your present wife? A No sir.
Q Did she ever apply to the Cherokee national Co uncil, she or her parents? A Her parents has.
Q Were they admitted to citizenship? A No sir, they were not admitted.
Q They were denied? A Yes sir.
Q And your wife has never been recognized as a citizen of the Cherokee Nation? A No sir.

(1880 Roll, Page 39, #1074, J. T. Petty, Canadian District)
(1896 Roll, Page 57, #1559, John T. Petty, Canadian District)

Q You now say you were married three times? A yes sir.
Q What is the name of your second wife? A Annie E. Alberty.
Q Was she a Cherokee or white woman? A White woman.
Q When were you married to her? A I distemember the exact date.
Q About how long ago? A About five years ago.
Q How long did you live with her? A About five months.
Q Were you ever divorced from her? A No sir, she died.
Q You lived with her up to the time of her death? A Yes sir.

Commission: The applicant applies for the enrollment of himself and one child as citizens by blood of the Cherokee Nation, and for the enrollment of his wife as a citizen by intermarriage of the Cherokee Nation: He is identified upon the authenticated roll of 1880 and upon the census roll of 1896 as a native Cherokee: He has lived in the Cherokee Nation all his life, and will be listed for enrollment as a citizen by blood.

As to the application he makes on behalf of his wife; he avers that he was married seven or eight years ago to one, [redacted], a white woman; that he lived with her about six weeks: He avers that he was never lawfully divorced from his former wife: He also states that he was married to one, Annie E. Alberty, a white woman about five years ago, and that he lived with her up to the time of her death. On the 21st of September, 1897, he was married to his present wife, Emily Ann Petty, without having secured a divorce from his first wife: By his last marriage, he has one child, George W. Petty: He avers also that the parents of his wife applied fo the Cherokee national authoritie s for enrollment as citizens of the Cherokee Nation, but that their application was denied, and that she has never been recognized as a citizen of the Cherokee nation. Her marriage in September, 1897 was too late for her to acquire a property right in the Cherokee Nation: Therefore, the application which is made in her behalf for enrollment as a citizen by intermarriage of the Cherokee nation is REJECTED.

As to the application he makes on behalf of his child, the mother of this child is a white woman: The father of the child was previously married to one, [redacted], but never divorced from her. For this reason, [redacted], his child by this wife, to whom he was married in 1897, will be listed for enrollment

JOHN T. PETTY ET ALS.

as a citizen by blood, when he files with the Commission satisfactory proof as to the birth of this child, upon what is known as a doubtful card. When final judgment is rendered in the matter of the application he makes in behalf of his child, George W. Petty, the applicant will be notified in writing at his present Postoffice address.

The undersigned, being sworn, states that stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R. R. Cravens

Subscribed and sworn to before me this 18th day of January, 1901.

COMMISSIONER.

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 17 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 17 1901 1900.

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

George W. Petty	Dist.	Year	Page	No.	Age 2
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Denied

affidavit as to heirs to be supplied

Application made by John T. Petty, Bennett, I.T.

See D Card #765

IN RE

Application for Enrollment of

INFANT CHILD

George Watson Petty

as a citizen of the

Cherokee Nation.

Approved. January 17, 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 17 1901

[illegible], Chairman

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of George Watson Petty (there insert name of child), born on the 1st day of March, 1899,
Name of Father: John J. Petty, a citizen of the Cherokee Nation.
Name of Mother: Emily Ann Petty, a citizen of the Cherokee Nation.
Postoffice, Bennett I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Northern District. }

I, Emily Ann Petty, on oath state that I am 18 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of John J. Petty, who is a citizen, by Blood, of the Cherokee Nation: that a Male (male or female) child was born to me on the 1st day of March 1899; that said child has been named George Watson Petty, and is now living.

Emily Ann Petty

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 3d day of January 1901

My Commission Expires
September 9, 1902.

J. B. Milburn
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
North District. }

I, F. Fanning, a Physician, on oath state that I attended on Mrs. Emily Ann Petty, wife of John T. Petty, on the 1 day of March, 1899, that there was born to her on said date a Male (male or female) child, that said child is now living and is said to have been named George Watson Petty

F. Fanning M. D.

(The Witness) }

Subscribed and sworn to before me this 23 day of Jany 1901

J. C. Anderson

D1047 ~~N 5518~~

20

IN RE

Application for Enrollment of

INFANT CHILD

Rachael Mayes Petty,

as a citizen of

Creek Nation.

Approved MAR 26 1902 190

Commissioner.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Rachael Mayes Petty (Here insert name of child), born on the 9th day of February, 1902
Name of Father: John D. Petty, a citizen of the Cherokee Nation.
Name of Mother: Emily A Petty, a citizen of the Cherokee by marriage Nation.
Post-office, Bennett Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Emily A Petty, on oath state that I am 19 years of age and a citizen, by marriage, of the Cherokee Nation; that I am the lawful wife of John D. Petty, who is a citizen, by Blood, of the Cherokee Nation, that a female (male or female) child was born to me on the 9th day of February 1902, that said child has been named Rachael Mayes Petty, and is now living.

Emily A Petty

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 10th day of March 1902.

J. S. Morrow
NOTARY PUBLIC.

My commission expires September 9, 1902.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, M. E. Burgess, a Physician, on oath state that I attended on Mrs. Emily A. Petty, wife of John D. Petty, on the 9th day of February, 1902, that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Rachael Mayes Petty

M E Burgess

WITNESSES TO MARK:

(Must be Two)

Subscribed and sworn to before me this 20th day of February 1902.

My commission expires September 9, 1902.

J. S. Morrow
NOTARY PUBLIC.

N

S: D-1047

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 15,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS, in the matter of the application of John T. Petty for the enrollment of GEORGE W. PETTY as a Cherokee citizen.

Appearances:
John T. Petty, father of George W. Petty;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: John T. Petty was notified that the application of his son, George W. Petty for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the 15th day of March,1902. Receipt has been acknowledged of the Commission's letter, and the said John T. Petty, this day appears in person.

JOHN T. PETTY, being first duly sworn and being examined testified as follows:
BY COMMISSION:
Q What is your name? A John T. Petty.
Q How old are you? A 29 years old.
Q What is your post-office address? A Bennett.
Q Are you the father of George W. Petty? who w a an applicant before the Commission for enrollment as a citizen of the Cherokee Nation? A Yes sir.
Q Any statement you desire to make relative to the enrollment of your child? A No sir, all the statement I have is what I have sworn to.
Q You submit the case in behalf of your child to the Commission for final consideration? A Yes sir.

BY COMMISSION: John T. Petty, in behalf of his child, and the representative of the Cherokee Nation present submit the case to the Commission; same is deemed completed and will be reported to the Commission for final decision, based upon the evidence now of record.

---o0o---

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Cherokee D 1047.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John T. Petty for enrollment of his son, George W. Petty, and his daughter, Rachel Mayes Petty, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 17, 1901 John T. Petty appeared before the Commission at Muskogee, Indian Territory and made personal application for enrollment, among others, of his son, George W. Petty, as a citizen by blood of the Cherokee Nation. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings in the matter of said application were had at Muskogee, Indian Territory March 15, 1902, and affidavits as to the birth of Rachel Mayes Petty were filed March 20, 1902.

The evidence shows that the applicants, George W. Petty and Rachel Mayes Petty, are the children of said John T. Petty, who is a Cherokee by blood and identified on the 1880 authenticated tribal roll of the Cherokee Nation and the 1896 census roll. The applicants are too young to be on any roll, but are identified by birth affidavits on file with the Commission. Said John T. Petty has been married three times and his children, George W. Petty and Rachel Mayes Petty, were born of the last marriage. He was not divorced from his first wife and there is no proof that she was dead at the time of his marriage to his present wife, Emily A. Petty, nee Brown, on September 21, 1897.

Section 692 of the Compiled Laws of the Cherokee Nation (1892) is, as follows:

> "All marriages which are herein prohibited on account of consanguinity between the parties, or on account of either of them having a former husband or wife then living, shall be absolutely void in this Nation, without any judgment of divorce or other legal proceedings provided, that the issue from such unlawful marriage shall nevertheless be legitimate; provided, also, that when a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, or proven to be his, shall thereby be legitimate."

The evidence further shows that said John T. Petty, father of the applicants, has been a resident of the Cherokee Nation all of his life, and that the applicants have resided therein with their father since their birth.

It is, therefore, the opinion of this Commission that George W. Petty and Rachel Mayes Petty should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section 21, Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902

Mr. John T. Petty,

Bennett, Indian Territory,

Sir:-

You are hereby notified that the application of George W. Petty

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

15 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-1047
Register.

[redacted]

[redacted] in Charge.

COPY

Cherokee D 1047.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of John T. Petty for the enrollment of his two minor children, George W. Petty and Rachel Mayes Petty, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 108.

COPY.

D - 1047.

Muskogee, Indian Territory, October 24, 1902.

John T. Petty,

Bennett, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your two minor children, George W. and Rachel Mayes Petty, as citizens, by blood, of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enclosure C. No. 39.

Register.

Cher 9816

William Foreman

Trans. from D1050

Cher 9816

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 21 1901

ACTING CHAIRMAN

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. January, 18th 1901..

In the matter of the application of Samuel S. Sanders for the enrollment of WILLIAM FOREMAN as a Cherokee citizen. He having been sworn before Commissioner Breckinridge, testified as follows-

Q What is your name? A. Samuel S. Sanders.
Q How old are you? A. 28.
Q What is your post office? A. Braggs.
Q What district? A. Illinois.
Q Who do you want to have enrolled? A. William Foreman.
Q How old is he? A. Between 16,17 and 18 .
Q What proportion of Cherokee blood has he? A. Nearly a full blood.
Q Is he living with you in your family? A. With my mother.
Q Is his father alive? A. Yes sir.
Q Is his mother alive? A. No sir dead.
Q He is being brought up by your mother? A. Yes sir.
Q What is the name of your mother? A. E. B. Sanders; sometimes called Kate.
Q Give me the name of the father of this child? A. Ave Foreman.
Q How old is he? A. Over 40.
Q Has he lived in the Cherokee Nation all his life? A. Ever since I have known him he has.
Q How long have you known him? A. Ten years
Q Is he white? A. No sir Cherokee; speaks the Cherokee language.
Q Give me this boys mother's name? A. Sallie McCoy was her name before she was a Foreman.
Q Was she aCherokee woman ? A. Yes sir.
Q How long has she been dead? A. About ten or twelve years.
Q Her maiden name was McCoy? A. Yes sir.
Q Did you know the name of her father and mother? A. No sir, she was a sister to Elic McCoy.
Q Full sister to him? A. I dont know that, but he recognizes her as his sister.
Q You dont know when she married Foreman? A. No sir.
Q What proportion of Cherokee blood did she have? A. Full blood.
Q Did she live in the Cherokee Nation all her life? A. I cant say whether she did—think so.
Q Has this child lived in the Cherokee Nation all his life? A. Yes sir.
Q How old was Sallie McCoy when she died? A. I dont know sir.
Q Do you know anything about her family except Elix? A. No sir.
Q Was she older or younger than Elic? A. Cant say.
Q Ever hear of Nancy McCoy? A. No sir.

• • • The applicant applies for the enrollment of a minor child, William Foreman; he is whom he states is in the care of his mother and whose mother is dead. He states that his personal knowledge of the mother of this child is that she is a full blood Cherokee and that his father is perhaps a full blood. The mother is dead and the father is living, but he does not appear in connection with the present application. So far it has not been possible thus after a careful search of the rolls to identify the child or his father or mother upon the roll. Giving the child, however, the benefit of all doubts, and assuming that he and his mother are enrolled under some other name which we cannot definitely identify at this time, he will be listed as a Cherokee by blood on a doubtful card to await further evidence of his own and his deceased mother's citizenship .

Chas. von Weise, being sworn states that as stenographer to the Commission to the five Civilized Tribes he reported [illegible] the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes thereof.

Russell, S. Anders 4.

RECEIVED
JAN 31 1901
COMMISSIONER OF THE GENERAL LAND OFFICE

Subscribed and sworn to before me this the 10th of January, 1901.

(Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 18 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 18 1901 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

William Foreman Dist. Year Page No. Age 17

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Application made by Samuel D. Sanders
Braggs. Lt.

the father of the said William Bruce Jones, being duly sworn, says that he is personally acquainted with the said defendant, and knows his reputation for truth and veracity in the community in which he resides; that he has heard the foregoing petition read and understands the contents thereof; that the facts therein stated are true as he believes.

Bruce C. Jones, Jr.

Subscribed and sworn to before me this 1st day of July, 1958.

Notary Public

---o---

Endorsed: Filed in the District Court July 1, 1958. Ben Hur Lumpkin, Clerk. By Mary Jo Hall, Deputy.

---o---

The Father of the said William Bruce Jones, Jr., having filed his petition in this court praying that the said William Bruce Jones, Jr. be declared of full age, and it appearing to the court that the said petitioner is a resident of Tom Green County, Texas, and that he is over the age of twenty-one years, and that he has been a resident of Tom Green County, Texas, for more than six months next preceding the filing of said petition, and that he is a person of good character, and that he is capable of managing his own affairs, and that he is entitled to the relief prayed for in his petition, it is therefore ordered, adjudged and decreed by the court that the said William Bruce Jones, Jr. be and he is hereby declared of full age for all purposes and that all disabilities of minority be removed from him, and that he be authorized to manage his own affairs, and that he be relieved of the disabilities of minority as to his property, and that he be authorized to sue and be sued, and that he be authorized to contract and be contracted with, and that he be authorized to execute and deliver deeds, mortgages, notes and other instruments of writing, and that he be authorized to do and perform all other acts that a person of full age may do and perform.

It is further ordered, adjudged and decreed by the court that the costs of this proceeding be taxed against the petitioner, for which let execution issue.

Signed this 1st day of July, A.D. 1958.

Judge Presiding

---o---

Endorsed: Filed in the District Court July 1, 1958. Ben Hur Lumpkin, Clerk. By Mary Jo Hall, Deputy.

---o---

D103

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., September 21, 1901.

In the matter of the application for the enrollment of William Foreman as a Cherokee by blood.

Supplemental testimony on behalf of applicant.

Appearances:
Samuel S. Sanders, for applicant;
J. L. Baugh, representative of Cherokee Nation.

SAMUEL S. SANDERS, appearing before the Commission and being duly sworn and examined, testified as follows:

Q What is your name? A Samuel S. Sanders.
Q How old are you? A 29.
Q What is your postoffice address? A Braggs.
Q Are you the Samuel S. Sanders who applied on January 18, 1901, for the enrollment of one William Foreman, a full blood Cherokee, about 17 years of age? A Yes, sir.
Q This child could not be identified at that time as being upon any of the tribal rolls of the Cherokee Nation; do you now desire to show that either the child or his father or mother have been listed for enrollment by the tribal authorities? A I think that I can show that he has been enrolled, him and his father; you see I used the name there of Ave Foreman, and I found later that Ave is the Cherokee name and his name, his English name would be Charles.
Q And you think his father is enrolled under the name of Charles Foreman? A Yes, sir.
Q Well, do you know whether his father was enrolled in 1880?
A No, sir, I don't know whether he was or not.
Q Do you know where his father was living at that time? A No, sir, I don't know where he was living.
Q Do you know whether he was in the Cherokee Nation? A I don't know whether he was or not, he might have been.
Q Do you know when this boy's mother, Sallie Foreman, died?
A No, sir.
Q What was her name before she married Foreman? A McCoy, so I have been told, she was Alex McCoy's sister, she may have enrolled with Alex McCoy.
Q Have you any idea what district she lived in at that time?
A No, sir, I don't, but these McCoys have been living in Illinois district as long as I can remember anything.
Q And she was the sister of Alex McCoy? A Yes, sir.
Q Do you know whether Sallie ever had any other children besides this William? A No, sir, I don't; these may have been in Sequoyah, or Flint, or probably Going Snake.
Q Have you any idea how old Sallie Foreman would be if she was living? A No, sir, I don't remember of ever having seen her.
Q Well, do you know whether she ever went by any other name other than Sallie? A I don't know that.
Q Has Charles Foreman been enrolled? A I think not.
Q Do you know whether this William Foreman ever had a wife named Betsy? A I don't know sir whether he ever had or not.
Q Do you know whether he ever had any children others than William?
A Yes, sir, he had several children.
Q What are their names? A There was Tom and was one Lucy, and I can't remember the names of the rest of them.
Q Were they older than William? A Yes, sir, Tom and Lucy was.

The 1880 authenticated roll of Cherokee citizens examined and the name of Charlie Foreman found thereon. Page 227, No. 824, Sequoyah district, native Cherokee.

Q Are Lucy and William full brother and sister? A I think probably they are full brother and sister; Lucy, Tom and Will I think

are by his first wife.
Q And do you think Sallie is the mother of these three children?
A I don't know whether she is or not.
The 1896 census roll examined and the following names found thereon:
Charley Foreman on page 1068, No. 250, Sequoyah district;
William Foreman on page 1068, No. 252, Sequoyah district.

JOHN BROWN, appearing before the Commission and being duly sworn and examined, testified as follows:
Q What is your name? A John Brown.
Q How old are you? A About 54.
Q What is your postoffice address? A Vian.
Q Do you know Charley Foreman? A Yes, sir.
Q Was he a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know his son William Foreman, a young boy about 17 years old? A I just know him when I see him is all.
Q How long have you known Charley Foreman? A Well he has lived right by me, I think I moved there in '67, from that time on.
Q Do you know whether he ever had a wife named Sallie or whether he ever lived with a woman by that name? A I think he lived with a woman by that name, Sallie McCoy, around there, but I don't know whether they were ever married.
Q Was she a Cherokee? A Yes, sir, part Creek and Cherokee.
Q Had she ever been recognized as a Cherokee? A Yes, sir.
Q Do you know whether she is living now? A No, sir, she is dead.
Q Do you know when she died? A No, I can't say, she has been dead a good long while.
Q Do you know whether her right as a Cherokee had ever been disputed? A No, sir, I think not.
Q Did you know her as much as 20 years ago? A Yes, sir.
Q Was she going by the name of McCoy at that time? A Yes, sir, I think about 20; that is the only name I ever heard, Sallie McCoy.
Q Did Sallie McCoy ever marry any man after she lived with Foreman?
A I don't remember, there wasn't much marrying them days among the full bloods.
Q Do you know what Sallie's father's name was? A I know she was a sister to Alex and Sam McCoy.
Q About how old a woman would she be if she was living? A She would be about 40, something like that.
Q Was she living when the strip payment was made, that was 7 years ago? A I don't hardly think she was, I can't say; I think you will find her on the Illinois roll.
Q Was Alex older than his sister Sallie? A Yes, sir.
Q Were they full brothers and sisters? A I don't know whether they were or not.
The 1880 authenticated roll of Cherokee citizens examined and the name of Alexander McCoy found thereon, page 558, No. 1166, Illinois district.
Sam McCoy not identified on said roll.

Commission: It appears from the records of the Commission that on the 18th day of January, 1901, Samuels. Sanders applied for the enrollment of William Foreman, age about 17 years. Neither the child nor his parents could be identified on any of the tribal rolls in the possession of the Commission. From the testimony taken this day, the child's father, Charley Foreman, is identified on the roll of 1896 as [illegible] any of the rolls, but her [illegible] roll of 1880.

The father of the said William Foreman is also identified upon the census roll of 1896, and William Foreman is likewise identified upon that roll. This testimony will be filed and considered in Cherokee doubtful card No. 1990.

Bruce G. Jones, being duly sworn, says that he transcribed the commission to the Five Civilized Tribes in connection with the proceedings and testimony in the above case, and the foregoing is true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this the 3rd day of February, 1906.

Notary Public.

My commission expires

WAITED, BATES & CO.

P D 1050

Cherokee D-1050

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., January 13,1902.

SUPPLEMENTAL TESTIMONY, in the matter of the application of William Foreman for enrollment as a Cherokee citizen.

Appearances:
Samuel S. Sanders, for the applicant, as a witness.

SAMUEL S. SANDERS, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Samuel S. Sanders.
Q Are you the Samuel S. Sanders who applied for the enrollment of William Foreman? A Yes sir.
Q What was William Aforeman's father's name? A Ave Foreman, was the name we knowed him by, but his real name was Charles.
Q What was his mother's name? A Sallie.
Q Did William Foreman have any brothers or sisters or half brothers or sisters? A Yes sir.
Q What is the name? A He has a half brother named Thomas, then he has a half sister named Lucy.
Q Did you know William's mother? A No sir.
Q You did not? A No sir.
Q Is William Foreman a full blood? A Yes sir, he is so consider, a full blood.
Q How long has he lived in the Cherokee Nation to your knowledge? A All his life, born and raised there.

BY COM'R NEEDLES: Upon examination of the rolls of 1880 the name of Charles Foreman is found on page 697, No.524, Charlie Foreman, Sequoyah District, native Cherokee, 26 years old;
With said Charles Foreman is found the name of 1880 authenticated roll, page 697, No.526, Lucy Foreman, Sequoyah District, native Cherokee, 18 months old.

Q Is Lucy Foreman living? A Yes sir.
Q Is she married? A She is married, but I don't know who she married.
Q You have heard the roll called here giving the enrollment of Charles Foreman and Lucy Foreman, are you satisfied that said Charles Foreman was the father of William Foreman? A Why from what I have heard around there I am satisfied that he was the father of William.
Q And you know that Lucy Foreman who was enrolled with him is the child of Charles Foreman, and half-sister to William? A I am satisfied of it.
Q Do you know how long Sallie Foreman has been dead, or whether she is dead or not? A No sir, I don't.
Q You don't know whether she is dead or not? A I think she is dead
Q You have no knowledge as to whether she is living? A I am satisfied she is dead, I have heard people say so.
Q You know how long? A No sir.
Q You know whether this boy got the Strip money or not? A Yes sir, his father got the Strip money for him.
Q You know what district he drew it in? A I think they were enrolled in Sequoyah District, but I think he got his money in Illinois.
Q His father refuses to enroll him does he? A Yes sir, and refused to enroll himself.

1896 pay roll of citizens of the Cherokee Nation examined for William Foreman and name not found.

Commissioner Needles: This testimony will be filed with Chairman's 1050.

M.E.Crumpacking first duly sworn, stenotypes stenographer to the Commission in the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this January 15,1937.

Commissioner.

19050

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 31 1902

C. D-1050

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 15,1902.

SUPPLEMENTAL PROCEEDINGS, in the matter of the application of Samuel S. Sanders for the enrollment of WILLIAM FOREMAN, as a Cherokee citizen.

Appearances: W.W.Hastings, attorney for Cherokee Nation.

BY COMMISSION: The applicant was notified by registered letter February 27th,1902, that his application for the enrollment of William Foreman as a Cherokee citizen would be taken up for final consideration by the Commission on the 15th day of March,1902, at its offices in Muskogee, Indian Territory, and that he could on said day appear either in person or by attorney when an opportunity would be given him to introduce any additional testimony affecting his said application.

On this the 15th day of March,1902, applicant being called and failing to respond either in person or by attorney, this case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

I,M.D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

Cherokee D 1050.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Samuel S. Sanders for enrollment of William Foreman as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on January 18, 1901 Samuel S. Sanders appeared before the Commission at Muskogee, Indian Territory and made personal application for enrollment of William Foreman as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Fort Gibson, Indian Territory on September 21, 1901 and at Muskogee, Indian Territory on January 13, 1902 and March 15, 1902.

The evidence shows that the applicant, William Foreman, is a minor; that he is a Cherokee by blood and is identified on the 1896 census roll; that his father, Charles Foreman, is identified on the 1880 authenticated tribal roll of the Cherokee Nation as a Native Cherokee, and on the 1896 census roll; that his mother, Sallie Foreman, nee McCoy, now deceased, was a Cherokee by blood; that she is not identified on any of the tribal rolls of the Cherokee Nation, but her brother, Alexander McCoy, is identified on said 1880 roll, as a Native Cherokee.

The evidence further shows that the applicant, William Foreman, has been a resident of the Cherokee Nation all of his life.

It is, therefore, the opinion of this Commission that William Foreman should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats.495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902

Mr. Samuel S. Sanders,

Braggs, Indian Territory,

Sir:-

You are hereby notified that the application of William Foreman

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 15 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-1082
Register.

Yours truly,

Acting Chairman.

Commissioner in Charge.

Cherokee Roll

Muskogee, Indian Territory, July 7, 1906.

William Perman,
Maley, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of June 16, relative to the application which you state Sam Sanders made to have you enrolled as a citizen of the Cherokee Nation.

In reply, you are advised that upon application made by Sam Sanders you have been listed upon a doubtful card. You are requested to appear before this Commission on or before July 20 and give additional testimony relative to your right to enrollment as a citizen of the Cherokee Nation.

Yours truly,

Commissioner in Charge.

Copy

Cherokee D 1060.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Samuel S. Sanders for the enrollment of William Foreman as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 106.

COPY.

D - 1059.

Muskogee, Indian Territory, October 24, 1902.

Samuel S. Sanders,

Bragge, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of William Foreman as a citizen, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge.

Acting Chairman.

Enclosure C. No. 88.

Register.

Cher 9817

James Highland

Trans. from D 1057

Cher 9817

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FILED
JAN 21 1901

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., JANUARY 21st, 1901.

IN THE MATTER OF THE APPLICATION OF James Highland for enrollment as a citizen of the Cherokee Nation, and he being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A James Highland.
Q How old are you? A Twenty four.
Q What is your Postoffice address? A Vinita.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q Whom do you desire to enroll? A Myself is all.
Q Just yourself? A Yes sir.
Q Is your name on the roll of 1880? A No sir.

(1896 Roll, Page 179, #2313, James Highland, Cooweescoowee District)
(1894 Roll, Page 215, #2161, James Highland, Cooweescoowee District)

Q Do you know the reason your name is not on the roll of 1880?
A No sir, not exactly, only we had a man to look after it, and he neglected it.
Q Was your father living at that time? A Yes sir.
Q And your mother also? A Yes sir.
Q Your mother's name is not on the roll of 1880? A No sir.
Q Have you always lived in the Cherokee Nation? A Yes sir.
Q Where were you born? A Vinita.
Q Have you lived there ever since? A Yes sir.
Q Do you own any property in the Cherokee Nation? A Yes sir, own a house and lot.
Q Did you ever apply to the Cherokee Council to have your name placed on the rolls? A Yes sir.
Q What disposition was made of your application? A Nothing, only my mother's name was found on the '51 roll and all her folks.
Q You say you made application for citizenship?
A Nothing only to see if your names was on the roll.
Q Did you ever apply to the Dawes Commission in 1896? A No sir.

Com'r. T. B. Needles: The name of James Highland is found upon the census roll of 1896 and on the pay roll of 1894: His name is not found upon the authenticated roll of 1880: He is duly identified, and makes satisfactory proof of residence, but he produces no proof of being recognized by the Cherokee authorities as a citizen: From that fact, and the further fact that his name is not on the roll of 1880, final judgment as to the enrollment of the said James Highland will be suspended and his name will be placed on a doubtful card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R. E. Cravens

Subscribed and sworn to before me this 22nd day of January, 1901.

T. B. Needles

COMMISSIONER.

D1057 R

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 21 1901

ACTING CHAIRMAN.

Testimony of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 21 1901 1900.

Name James Highland (Vinita, I.T.

District COOWEESCOOWEE. Year 1896 Page 179 No 2313

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Supl to D1057

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T., September 19, 1906.

In the matter of the application of Nellie Highland for the enrollment of herself and children as Cherokee citizens:

The said Nellie Highland, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Question: What is your name ? A Nellie Highland.
Q What is your age ? A Fifty nine years of age.
Q What is your post office address ? A Vinita.
Q What district do you live in ? A Cooweescoowee.
Q You are a recognized citizen of the Cherokee Nation ?
A I was born and raised here; I don't know nothing else.
Q Did you ever live anywhere else ? A No sir.
Q What degree of blood do you claim ? A Half-breed.
Q For whom do you apply for enrollment ?
A For myself and my children.
Q Is your husband living ? A No sir.
Q What was his name ? A Highland; Mike Highland.
Q What was your father's name ? A Smith.
Q His first name ? A McCoy Smith.
Q Is he living ? A No sir, he is dead.
Q Your mother's name ? A Sarah.
Q Is she living ? A No sir, she is dead.
Q Give me the names of your children ? A William Highland, nineteen, Sarah Highland, twenty years of age.
Q When did you say you were married to Highland ?
A I don't know; it has been a good long while ago.
Q Where were you married ? A Married at Fort Gibson.
Q What district were you in twenty years ago ?
A I have been living here in Fort Gibson a good long while.
Q Did you ever go by any other name exept Highland ?
A No sir, not since I have been married.
Q What was your name before you were married ? A Nellie Smith.
Q Did your father die before 1880 ?
A I could not recollect when my father died; I was a small child.
Q What was your mother's name ? A Sarah Woodard.
Q Well, they didn't get your name on the 1880 roll, do you know why it wasn't on the 1880 roll ? A Yes sir, I was in the Choctaw Nation at that time.
Q Why didn't you say so then and save a lot of trouble ?
A Well, you didn't ask me.

1896 roll, page 179, No. 2311, Nellie Highland, Cooweescoowee District;

1896 roll, page 179, No. 2315, Sarah Highland, Cooweescoowee District;

1896 roll, page 179, No. 2316, William Highland, Cooweescoowee District;

How long did you live in the Choctaw Nation ?
A We stayed there about five years.

The Commissioner: The name of Nellie Highland appears upon the Census Roll of 1896. On the roll of 1880 her name is not found, and she avers that the reason her name is not on said roll is that she was living in the Choctaw Nation at the time. The children Sarah and William's names appear upon the Census Roll of 1896. She [illegible] satisfactory proof of her citizenship, and her name not appearing upon the roll of 1880, final judgment as to the said applicant and her children Sarah and William will be suspended and they and their names will be placed upon a doubtful card.

The undersigned being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in the above entitled application for enrollment and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

(Signed) Wm. E. Wallace.

Subscribed and sworn to before me this 28th day of September, A. D., 1900.

(Signed) T. B. Breckinridge,

Commissioner

Supl to D 1057

Cherokee D 346

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T., October 15, 1901.

In the matter of the application of Nellie Highland, et al, for enrollment as Cherokee citizens;

Supplemental testimony on behalf of applicants:

Appearances:
Applicant present in person;
J. L. Baugh, Cherokee representative.

McCOY SMITH, being duly sworn and examined by Commissioner Needles, testified as follows:
Q What is your name ? A McCoy Smith.
Q What is your age ? A 54.
Q What district do you live in ? A Canadian.
Q Are you a Cherokee citizen by blood ? A Yes sir.
Q Do you know the applicant Nellie Highland ?
A Yes sir, I know her.
Q How long have you known her ? A Known her all my life, we were raised right close together.
Q Well, when did you first know Nellie Highland ? A. When we were about three or four years old; I knew her mother.
Q Well, what was her mother's name ? A Sallie.
Q She living ? A No sir, she is dead.
Q What was her father's name ? A McCoy Smith.
Q Is he living ? A No sir, he is dead.
Q Is her father a Cherokee by blood ? A Yes sir.
Q Her mother ? A Yes sir.
Q Did they die before the year 1880 ? A Yes sir.
Q Do you know why Nellie Highland's name is not on the roll of 1880
A She was in the C hoctaw Nation at that time when the 1880 roll was taken.

Mr. Baugh: How long was she down there Mr. Smith ? A Why she married Highland there at Muskogee, along about '78, I think it was, somewhere along about that time, '76 or '78, and I thought stayed there two or three years, and then went from there to the Choctaw Nation; I lived right there close to them.
Q Do you know when she returned ? A No I don't know when she came back.
Q Did they have any property in the Cherokee Nation when they left here ? A No sir, I think not.
Q Well, when they married were they living in Muskogee, or where were they living ? A She was living down on Canadian.
Q Did they go to housekeeping in Muskogee ? A Yes sir, he was working there on the railroad.
Q Do you know what occupation he followed after he went to the Choctaw Nation ? A Mining, coal mining.

Commissioner: You know how long she lived in the Choctaw Nation?
A No sir, I don't know that.

Mr. Baugh: Is there any statement you want to make ?
A No, I don't know that it is necessary, I have knowed her ever since I can recollect. I knew her mother and father both.

Commissioner: This will be made part of the record in the case.

FRANK SMITH, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name ? A Frank Smith.
Q How old are you ? A 36.

Q What is your post office address ? A Braggs.
Q Do you know Nellie Highland ? A Yes sir.
Q Any relation to you ? A Yes sir.
Q What ? A First or second cousins, brothers children.
Q She is your brother's child ? A My uncle's child.
Q What is her father's name ? A MaCoy Smith.
Q Was he a Cherokee citizen ? A Yes sir.
Q Did he die before 1880 ? A Yes sir.
Q What was her mother's name ? A Sallie.
Q Was she a Cherokee citizen ? A Yes sir.
Q Both by blood ? A Yes sir.
Q Did she die before 1880 ? A Yes sir.
Q Well, where has Nellie Highland been living all her life ?
A Well, she lived there on Coody's Creek until she married.
Q Where was she born ? A Born there on the bayou in Illinois district.
Q Do you know why hername is not on the roll of 1880 ?
A No sir, I don't.

Bruce C. Jones, being duly sworn says, that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) Bruce C. Jones.

Sworn to and subscribed before me this the 18th day of October, 1901.

(Signed) T. B. Needles,

Commissioner.

D1057

Stereographer.

(Supl C D 346)

Supl to D 1057

Department of the Interior,
Commission to the Five Civilized Tribes.
Tahlequah, I. T., November 7th, 1901.

SUPPLEMENTAL TESTIMONY, in the matter of the enrollment of NELLIE HIGHLAND, ET AL., as Cherokee citizens, introduced on behalf of applicants:

Appearances:
Attorney J. S. Davenport, for applicant;
Mr. J. C. Starr, for Cherokee Nation.

J. M. LaHAY, being duly sworn by Commissioner Needles, testified as follows on part of the Applicants:

MR DAVENPORT: What is your name ? A J. M. LaHay.
Q Where do you live Mr. LaHay ? A Claremore, I Cherokee Nation.
Q How old are you ? A 36 years old.
Q How long have you lived in the Cherokee Nation ? A All my life except being absent a while--12 years.
Q Where were you living in 1880 Mr. LaHay ?
A I was living at McAlester, in the Choctaw Nation.
Q Did you know Mike Highland during his lifetime ? A Yes sir.
Q Did you know his wife Nellie ? A Yes sir.
Q Do you know where they were living in 1880 ?
A They were living about McAlester.
Q Were you acquainted with them at that time ? A Yes sir.
Q Did you and Mike Highland work together and live near each other in 1880 ? A Yes sir we worked at the same works and lived neighbors to each other at the time.
Q That was in the Choctaw Nation ? A Yes sir.

Com'r Needles: This testimony will be made part of the record in the original case and filed therewith.

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Rosson.

Subscribed and sworn to before me this November 9th, 1901.

(Signed) T. B. Needles,

Commissioner.

I, E. C. Bagwell, on my official oath as stenographer to the Commission to the Five Civilized Tribes, state that the above is a true, perfect and accurate copy of the original as filed with the Commission.

E. C. Bagwell

Stenographer.

The Commission: The attorney for the applicant and the attorney for the Cherokee Nation submit this case to the Commission for consideration, and the same is ordered closed, and reported to the Commission for final decision based upon the evidence now on file in addition to the evidence in the case of Nellie Highland, which will be made a part of the record in this case.

E. C. Boatwell, on oath stated that he, as stenographer to the Commission to the Five Civilized Tribes, be corrected, recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

Subscribed and sworn to before me this January 26, 1906.

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D 1067

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 25, 1902.

In the matter of the application of James Highland, for the enrollment of himself as a citizen of the Cherokee Nation.

Appearances:
James S. Davenport, Wanita, I. T., for applicant;
W W Hastings, for the Cherokee Nation.

Mr. Davenport: I desire to request that the testimony in the case of D 346, Nellie Highland, be made a part of the record in this case, and to submit the case upon the same statement of facts as in the case of Nellie Highland.

The Commission: The attorney for the applicant and the attorney for the Cherokee Nation submit this case to the Commission for final consideration, and the same is ordered closed, and reported to the Commission for final decision based upon the evidence now on file in addition to the evidence in the case of Nellie Highland, which will be made a part of the record in this case.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this February 25, 1902.

Commissioner.

1059

JUL 23 1902

D-1057.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., June 17, 1902.

In the matter of the application of James Highland for the enrollment of himself as a Cherokee by blood.

SUPPLEMENTAL TO D-1057.

APPEARANCES:
Applicant in person.
W. W. Hastings for Cherokee Nation.

COMMISSION: The applicant was notified by registered letter June 5, 1902, to appear before the Commissionat its offices in Muskogee, Indian Territory, on or before June 18, 1902, and submit further evidence in the matter of his application for the enrollment of himself as a citizen of the Cherokee Nation, especially with regard to his residence in the Cherokee Nation.

JAMES HIGHLAND, being first duly sworn, testified as follows:

COMMISSION: What is your name? A James Highland.
Q How old are you? A I am 25.
Q What is your postoffice address? A Vinita.
Q You are an applicant before the Commission for enrollment as a citizen by blood of the Cherokee Nation? A Yes, sir.
Q Where were you born? A I was born in the Cherokee Nation - I was born down here at McAlester.
Q In the Choctaw Nation? A Yes, sir, in the Choctaw.
Q How long did you reside there after your birth? A Why just a short time, a year or such a matter.
Q Where did you go then? A To Vinita.
Q How long have you been residing in Vinita? A Well that's been 22 or 3 years.
Q Have you ever made your home outside of the Indian Territory? A No, sir, never been no place else.
Q How long a period, if any, have you ever been out of the Territory? A I was in the service for eight months.
Q In the United States Army? A Yes, sir.
Q Where were you stationed? A San Diego, California.
Q Is that the longest at any one time that you have ever been out of the Territory? A Yes, sir.
Q What's the name of your father? A Michael Highland.
Q Is he living or dead? A He's dead.
Q Was he a Cherokee or a white man? A He was a white man.
Q What's the name of your mother? A Nellie Highland.
Q Is she living? A Yes, sir.
Q Where does she live? A She lives at Vinita.
Q How long has she been living there? A Well, sir, I don't know; it's been-
Q Ever since you have? A Yes, sir, ever since I have.
Q Is your mother a Cherokee by blood? A Yes, sir.
W. W. Hastings: Do you know how long your mother had been in the Cherokee Nation when you were born; I mean from family history? What did your mother ever tell you about that; just moved there a little while to work: my father was a miner, and they just moved there and stayed a little while and then went back up to Vinita.
Q Were you the oldest of the children? A No, sir, I have got a

sister.
Q Well how much older is that oldest sister than you? A One year.
Q Where were your father and mother married? A Why I don't know where they was married.
Q You never heard her say? A No, sir, I never.
Q Do you know where your oldest sister was born? A No, sir.

Arthur C. Croninger, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur C. Croninger

Subscribed and sworn to before me this 23rd day of June, 1902.

Notary Public.

Cherokee D 1057

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of James Highland for the enrollment of himself as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

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The record in this case shows that on January 21, 1901, James Highland appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of himself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on June 17, 1902. The testimony taken in the matter of the application for the enrollment of Nellie Highland, et al. Cherokee Doubtful Case #346, is made part of the record in this case.

The evidence in this case shows that James Highland, twenty-four years of age at the date of this application, was the son of Nellie Highland, a native Cherokee. Neither the name of James Highland nor that of his mother, Nellie Highland, can be found on the Cherokee authenticated tribal roll of 1880, because the family were in the Choctaw Nation of the Indian Territory at the time that roll was made. Upon an examination of the tribal rolls of the Cherokee Nation in the possession of this Commission the name of James Highland is found on the Cherokee Pay roll of 1883, on the Cherokee Pay roll of 1886, on the Cherokee Pay roll of 1890, on the Cherokee Census roll of 1890, on the Cherokee Strip Payment roll of 1894, and on the Cherokee Census roll of 1896.

It further appears from the evidence that the said James Highland was born in the Choctaw Nation but left there at a very early age and has lived in the Cherokee Nation ever since, a period of twenty-two or twenty-three years, except for eight months when he was in the service of the United States Army.

It is, therefore, the opinion of this Commission that James Highland should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902

Muskogee, Indian Territory, June 8, 1906.

Mr. James Highland,
Vinita, Indian Territory.

Sir:

You are required to appear before this Commission at its office in Muskogee, Indian Territory, before June 20, 1906, and submit further evidence in the matter of the application for your enrollment as a citizen of the Cherokee Nation, especially with regard to your residence in the Cherokee Nation.

Yours truly,

Acting Chairman.

In answering refer to
Cherokee D 1067
Register.

COPY.

Cherokee D 1007.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of James Highland for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enc, S. No. 107.

C. R. Y.

E - 1057.

Muskogee, Indian Territory, October 24, 1903.

James Highland,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1903, granting your application for the enrollment of yourself as a citizen by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.

Commissioner in Charge.

Enclosure C. No. 56.

Register.

COPY.

D - 1057.

Muskogee, Indian Territory, October 24, 1902.

James S. Davenport,
Attorney for James Highland,
Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of James Highland for the enrollment of himself as a citizen, by blood, of the Cherokee Nation.

Respectfully,

C. E. Breckinridge.

Acting Chairman.

Enclosure C. No. 87.
Register.

Cher 9818

Catherine Wesson

Cher 9818

29067

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 28 1901

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 28th, 1901.

In the matter of the application of Wiley S. Wesson for the enrollment of his wife and children as citizens of the Cherokee Nation, said Wesson being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name? A Wiley S. Wesson.
Q How old are you? A 30.
Q What is your post office? A McKey.
Q In what district do you live? A Illinois.
Q Who is it you want to have enrolled, yourself and family? A No, sir, just want to enroll David Wesson, a boy of mine, five years old, he is enrolled on '96 roll, David Wesson, Illinois district.
Q Have you a wife now? A Yes, sir.
Q Is she a Cherokee woman? A Yes, sir.
Q Do you want to have her enrolled? A Yes, sir.
Q How many children is it you want to apply for altogether? A Two.
Q One of them by this wife? A Yes, sir, the last one.
Q One by a former wife? A Yes, sir.
Q What are you, a white man? A Yes, sir.
Q Was your first wife a Cherokee woman? A Yes, sir.
Q And this wife is a Cherokee woman? A Yes, sir.
Q When were you married the first time? A January 20th, 1895.
Q What is the name of your present wife? A Catherine.
Q How old is she? A She is 20, 19 or 20.
Q Was she born in the Cherokee Nation? A No, sir.
Q Where was she born? A Georgia.
Q When did she come to the Cherokee Nation? A Four years ago, '96.
Q Was she admitted to citizenship by the Cherokee Commission? A Yes, sir.
Q Give me the name of her father? A Bradford W. Brackett.
Q Is he dead? A Yes, sir.
Q Give me the name of her mother? A Mary, Mary Elizabeth Brackett, I think.
Q Was Mary Brackett a Cherokee ~~woman~~ woman? A Yes, sir, I think so, I can't say for certain.
Q You do not know whether your wife claims through her father or mother? A I know that her father was a Cherokee but I do not know whether her mother is or not, but I think so, I think she is enrolled in '96.
Q Have you a certificate showing that your wife was admitted to citizenship? A My fathrer-in-law received a certificate for me and the family and my brother-in-law was to mett me here to-day, but he is at Sallisaw got the small pox and did not get the certificate here.
Q Have you a certificate of your marriage to your wife, Catherine? A Not Cherokee.
Q No certificate? A Yes, sir.

Com'r Breckinridge:- The applicant presents a marriage license issued by the Clerk of United Stated Court, Northern district, Indian Territory, August 31, 1899, authorizing marriage between himself and his wife. The certificate shows that they were united in marriage on the 10th day of September of the same year by the Rev. W. J. Powery. This is filed herewith.

Q Now give me the names of these children? A First, David ~~Wesson~~.
Q How old is that child? A Five years old the 12th day of last ~~September~~ November.

Q The next child? A George Newton Wesson.
Q How old is he? A Four months old the 9th day of this month.
Q These children are both living now are they? A Yes, sir.
Q Now, give me the name of the mother of this older child, David?
A Peggie Wesson.
Q She is dead is she? A Yes, sir.
Q How long since she died? A She died the 25th of last February.
Q How old was she when she died? A Somewhere about 44.
Q When did you marry her? A January 20th, 1895.
Q What was her name when you married her? A Peggie Muskrat.
Q Was that her maiden name? A No, sir.
Q What was the name of her father? A I could not, Rose, I believe was his name.
Q Is he dead? A Yes, sir.
Q Give me the name of her mother? A I do not know.
Q You don't know whether she is dead or not? A No, sir, I don't know.
Q How often was your wife Peggie married before you married her?
Q Once.
Q To whom was she married then? A Jim Muskrat.
Q Is he dead? A Yes, sir.
Q Was your wife's name Muskrat in 1880, 20 years ago? A No, sir.
Q What was her name in 1880? A Peggie Rowe.
Q Have you a certificate of your marriage to your wife Peggie?
A Yes, sir.

Com'r:--The applicant presents a license issued by the Clerk of the United States Court, January 18, 1895, authorizing marriage between himself and Peggie Musrat, and the certificate showsthat they were united in marriage on the 21st of January, 1895, by the Rev. J. S. Stepp.

Q You were never married to your wife Peggie except under United States license? A No, sir.
Q You married in time to Peggie, a Cherokee citizen, but you did not get out a Cherokee license? A No, sir.

Com'r:--This is filed herewith.
1880 Roll; page 42, #1145, Peggy Rowe, Canadian.
1896Roll; page 895, #1557, Peggie Rowe, Illinois.
1896Roll; page 915, #2095, Dave Wesson, Illinois.
1896Roll; page 1057, #265, Catharine Bracket, Sequoyah.

Q Now, who is there here that knows that your first wife, Peggie, was known as Peggie Rowe, she is mentioned in the certificate as being Musrat? A I do not know that there is anybody here to-day that knew her.
Q But you can bring testimony here to establish that Peggie Rowe was known as Peggie Muskrat? A Yes, sir.
Q Mr. Wesson you say your wife came here in 1896? A Somewhere along about '96.
Q Do you know when your wife was admittedto citizenship? A The certificate says it was in '89, I can't say the month.
Q And she did not come on that certificate until 1896? A No.
Q Now did her father or mother or either of them come here before 1896? A Her father was her several times during this '89 and '90 when he was admitted, but did not move here.
Q Did not bring his family? A No, sir.
Q That is true of the mother also, she did not come until 1896, the father, mother and children all came in 1896 to live, that is the first time they came to make their home? A Yes, sir.
Q And your wife at the time the family came here in 1896 was only a minor, she being but 19 now? A Yes, sir, she is either 19 or 20 now.

Wiley S. Wesson--3.

Com'r Breckinridge:--The applicant appliesfor the enrollment of his wife and two children. He states that he is a white man. He is shown to have been married only under United States law and he makes no application for his own enrollment. His present wife, Catherine, is said to have been admitted to citizenship by the Cherokee Commission in 1889 and to have come to the Cherokee Nation with her father and mother under said certificate in 1896. It is shwon by the testimony that she was a minor at the time the alleged certificate was issued and was still aminor at the time the family came to the Cherokee Nation in 1896, since which latter time the applicant's wife is stated to have been here continuously. She is not therefore to be excluded by reason of delay in coming to the Cherokee Nation by the Cherokee Act approved December 4, 1894. She is identified on the roll of 1896 as a native Cherokee. Her change of name arising from marriage is established by the license and certificate filed herewith. She will be listed for enrollment as a Cherokee by blood, but upon a doubtful card to await an official copy of the certificate of admission referred to. Her child, George N. Wesson, an infant, will also be listed for enrollment as a Cherokee by blood upon the card with his mother, when the Commission is supplied with a proper certificate of the birth of this child. The other child, David Wesson, is a child of a former wife. This wife, now dead, is identified on the rolls of 1880 and 1896 as a native Cherokee, under the name of Rowe, which is said to have been her maiden name. She is shown to have been married to the applicant under the name of Musrat, her given name being Peggie. Further evidence is desired explaining the identity between this woman, Peggie Musrat, and the woman, Peggie Rowe, as identified on the rolls. This child is now living, is duly identified on the roll of 1896 as a child of Peggie Rowe, and will be listed for enrollment as a Cherokee by blood, on a doubtful card to await the evidence indicated, that the Peggie Wesson shown ~~in~~ by the marriage license to have been Peggie Musrat, whom the applicant states is the mother of this child, is the woman identified on the rolls as Peggie Rowe.

It is also desired to not in connection with the application for the enrollment of the applicant's wife and his child by this wife, that the Cherokee representatives of the Cherokee Nation desire to have considered the legality of the action of the Cherokee Court admitting members of this family and that point also reserved for consideration. The applicant will be duly informed if there is any further evidence desired in this connection to be considered.

--ooo00ooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimon and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 28th day of January, 1901.

Commissioner.

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 28 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 28 1901 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

20 Wife's name Catherine Wesson McKey, D.T.

District SEQUOYAH. Year 1896 Page 105 No. 260

Citizen by blood yes Mother's citizenship Parents } B. W. Brackett C D
Mary E. " Shirley C D

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 David Wesson Dist. ILLINOIS. Year 1896 Page 915 No 2094 Age 5

3 George N. " Dist. Year Page No. Age 4 mo

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dave Wesson

Catharine Brackett

Dave Wesson

No 1 on 1896 roll as

" 2 " 1896 " "

" 3 affidavit as to birth to be supplied

Application made by Wylie A. Wesson. McKey D.T.

Nos. 2 & 3 children of No 1 and Child of Peggie Wesson, deceased and applicant

Nos 1-2-3. Certificate of admission of No 1 to be supplied

Nos 2-3 Evidence of mothers identity to be supplied

20 #7818

IN RE

Application for Enrollment of

INFANT CHILD

George N. Nesson

as a citizen of

Creek

Nation.

Approved [illegible] 1901

[illegible]
Commissioner

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
FEB [illegible]
FEB 1901

[illegible]
ACTING CHAIRMAN

Clerk

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of George N. Wesson (Here insert name of child), born on the 9th day of September, 1900
Name of Father: Wiley S. Wesson, a citizen of the Cherokee Nation.
Name of Mother: Catherine Wesson, a citizen of the Cherokee Nation.
Post Office, [redacted]

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Catherine Wesson, on oath state that I am 20 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Wiley S Wesson, who is a citizen, by adoption, of the Cherokee Nation, that a Male (male or female) child was born to me on the 9th day of September 1900; that said child has been named George N Wesson, and is now living.

Catherine Wesson

WITNESSED TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 30th *day of* January 1901.

My commission expires Nov. 9, 1902.

G B Curtis
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Mary E. Hartley, a Midwife, on oath state that I attended on Mrs. Catherine Wesson, wife of Wiley S Wesson, on the 9th day of September, 1900; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named George N Wesson

Mary E Hartley

WITNESSED TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 30th *day of* January 1901.

My commission expires Nov. 9, 1902.

G B Curtis
NOTARY PUBLIC.

Cherokee D 1067

Bradford W. Brackett.

Office of Commission on Citizenship.
Tahlequah, I. T. Oct 5 1887

DOCKET NO	NAMES	AGE	SEX	POSTOFFICE	ATTY.
1	Bradford W. Brackett	46	male	Carlisle Ga.	
2	Lucinda L. Brackett,	31	female		
734 3	Laura Brackett	12	male		A.E.Ivey
4	John W. Bracket,	18	male		
5	Catherin Bracket	7	female	Applicant for	
6	Mary J. Bracket	6	female	Cherokee Citizen-	
7	Arthur Brackett	1	male	ship.	

Census rolls - 1851

Re-admitted Aug. 16th, 1889
V S
Cherokee Nation.

Ancestor, Smith Hubbard.

Office Commission on Citizenship.
Cherokee Nation, Ind. Ter.
Tahlequah, Aug. 16th, 1889.

The evidence in the above named case shows that the applicant is the son of Midge Brackett and Cynthia Brackett nee Cynthia Hubbard and grandson of Nellie Wilkerson from whom he derives his Cherokee blood. The names of Ancestors are found on the Census rolls of Cherokees by blood, taken and made in the year 1851, by the United States. The Commission therefore decide that Bradford W. Brackett age 41 and children Laura Brackett age 12 years, John W. age 8 years Catherine 7 years, Mary age 6 years and Arthur Brackett age 1 year are of Cherokee blood and entitled to re-admission to citizenship in the Cherokee Nation. See Docket 666 Book B. page 381. P. O. Carlisle, Ga.

Will P. Ross,
Chairman.

Attest
D. S. Williams
Asst Clerk Commission

John E. Gunter Com.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full and correct copy of the record on file in this office.

Callie Mickey

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
~~Northern District.~~
First Judicial Division } ss.

I, ~~Joseph W. Phillips,~~, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 22 day of Jan 189 5, at ..... M., and duly recorded in Book D, Marriage Record, Page 166.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 24 day of Jan, A. D. 189 5.

Jos. W. Phillips Clerk.

By J. S. Dodson Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., June 5, 1902.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Wiley S. Wesson as citizen of the Cherokee Nation.

Ella Mieling
~~Commissioner~~

Cherokee D 1067

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
~~Northern District~~
First Judicial Division. } ss.

No. 10.

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. W. S. Wesson, of McKey, in the Indian Territory, aged 24 years, and Mrs Peggy Kusrat, of McKey, in the Indian Territory, aged 40 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 18 day of Jany A. D. 1895.

(S E A L)

Jas. W. Phillips
Clerk of the U. S. Court.

By N. S. Young Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
~~Northern District~~
First Judicial Division. } ss.

I, J.S. Stepp, a Minister of the Gospel, Do Hereby Certify, that on the 20th day of Jan-, A. D. 1895, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 21st day of Jan- A. D. 1895.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, ~~Northern District~~ First Judicial Div, Book A, Page 265.

J. S. Stepp
A Minister of the Gospel.

1067

20

IN RE

Application for Enrollment of

INFANT CHILD

Virginia Watson

as a citizen of

Cherokee Nation.

Approved MAR 25 1902 190

Commissioner.

Twin Sister

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Virginia Wesson, born on the 2nd day of January, 1902

(Here insert name of child.)

Name of Father: H. S. Wesson a citizen of the Cherokee Nation.

Name of Mother: Catherine Wesson a citizen of the Cherokee Nation.

Post-office McKey I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
Northern INDIAN TERRITORY District.

I, Catherine Wesson, on oath state that I am 20 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of H. S. Wesson, who is a citizen, by Adoption, of the Cherokee Nation; that a Female (Twin) (male or female.) child was born to me on 2nd day of January 1902; that said child has been named Virginia Wesson, and is now living.

Catherine Wesson

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22nd day of March 1902

My commission expires June 3, 1905. T. F. Shackelford NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
Northern INDIAN TERRITORY. District,

I, Mary E. Hartley, a Midwife, on oath state that I attended on Mrs. Catherine Wesson, wife of H. S. Wesson on the 2nd day of January, 1902, that there was born to her on said date a Female (Twin) (male or female) child; that said child is now living and is said to have been named Virginia Wesson.

Mary E. Hartley

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22nd day of March 1902

My commission expires June 3, 1905. T. F. Shackelford NOTARY PUBLIC

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, James A. Winston, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 12 day of Sep 189 9, at ..... M., and duly recorded in Book H, Marriage Record, Page 301.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 13 day of Sep, A. D. 1899.

Jas A. Winston Clerk.

By ..... Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., June 5, 1902.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Wiley S. Wesson as citizen of the Cherokee Nation.

Della Mieleng
Commissioner

MARRIAGE LICENSE.

Cherokee D 1067

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

No. 207

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. W. S. Wesson, of McKay, in the Indian Territory, aged 29 years, and Miss Katie Brackett, of McKay, in the Indian Territory, aged 19 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 31 day of August A. D. 189 9.

(S E A L)

J. A. Winston
Clerk of the U. S. Court.

By N. S. Young Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, W. J. Towney, a Minister of the Gospel, Do Hereby Certify, that on the 10 day of Sept, A. D. 189 9 I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 10 day of Sept A. D. 189 9.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book A, Page 220

W. J. Towney
A Minister of the Gospel.

V 1107

IN RE

Application for Enrollment of

INFANT CHILD

Virgil Hixson

as a citizen of

Cherokee Nation.

Approved MAR 25 1902 190

Vinita

Commissioner.

Yours truly,

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Virgil Wesson (here insert name of child), born on the 2 day of January, 1902

Name of Father: W. S. Wesson a citizen of the Cherokee Nation.

Name of Mother: Catherine Wesson a citizen of the Cherokee Nation.

Post-office McKey, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Catherine Wesson, on oath state that I am 20 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of W. S. Wesson, who is a citizen, by Adoption, of the Cherokee Nation; that a Male (Twins?) (male or female.) child was born to me on 2nd day of January 1902, that said child has been named Virgil Wesson, and is now living.

Catherine Wesson

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of March 1902

My commission expires June 3, 1905. T. F. Shannegan
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District,

I, Mary E. Hartley, a Midwife, on oath state that I attended on Mrs. Catherine Wesson, wife of W. S. We[illegible] on the 2nd day of January, 1902, that there was born to her on said date a Male Child (male or female) child; that said child is now living and is said to have been named Virgil Wesson.

Mary E. Hartley

WITNESSES TO MARK:

(Must be Two)

Subscribed and sworn to before me this 22nd day of March 1902

My commission expires June 3, 1905. T. F. Shannegan
NOTARY PUBLIC

FILED
MAR 31 1902

R

C. R-1067

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 15,1902.

SUPPLEMENTAL PROCEEDINGS, in the matter of the application of Catherine Vesson for the enrollment of herself and children as Cherokee citizens.

Appearances:
W.W.Hastings, Attorney for the Cherokee Nation.

BY COMMISSION: On the 27th day of February,1902, applicant was notified by registered letter that her application for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 15th day of March,1902, and that on said date she would be permitted to appear either in person or by attorney when an opportunity would be given her to introduce any additional testimony affecting her application. On this the 15th day of March,1902, applicant having been called and failing to respond, either in person or by attorney, this case is deemed completed, and same will be reported to the Commission for final decision based upon the evidence now of record.

I,M D.Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

M D Green

Cherokee D 1067

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Catherine Wesson, her three minor children, George N., Virgil, and Virginia Wesson, and her step-son, David Wesson, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on January 28, 1901, Wiley S. Wesson appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of his wife, Catherine Wesson, and his four minor children, David, George N., Virgil, and Virginia Wesson, as citizens by blood of the Cherokee Nation.

The evidence shows that Wiley S. Wesson, a white man, was married twice, the first time, on January 20, 1895, to Mrs. Peggy Musrat, a citizen by blood of the Cherokee Nation, who is identified on the Cherokee authenticated tribal roll of 1880 as "Peggy Rowe", her maiden name. David Wesson is her child by Wiley S. Wesson. After the death of his wife, Peggy, Wiley S. Wesson was lawfully married on September 10, 1899, to Catherine Brackett, a Cherokee by blood, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, on August 16, 1889, she at that time being seven years of age. Catherine Wesson did not come to the Cherokee Nation until 1896, she at that time being a minor, fourteen years of age. The said Catherine Wesson and David Wesson are identified on the Cherokee census roll of 1896. The child of Catherine Wesson and her husband, Wiley S. Wesson, George N. Wesson, was born on September 9, 1900, and their children, Virgil and Virginia Wesson, were born on January 2, 1902, and proper proof of their births has been furnished this Commission.

It is considered from the evidence that the said Catherine Wesson has resided continuously in the Cherokee Nation since the year 1896, and that David Wesson has resided continuously in the Cherokee Nation since the time of his birth.

It is, therefore, the opinion of this Commission that Catherine Wesson, David Wesson, George N. Wesson, Virgil Wesson, and Virginia Wesson should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495.), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902

32 #9818

IN RE
THE DEATH OF
Virgil Grayson
a citizen of the
Cherokee Nation.

Approved January 1 1905
C. R. Breckinridge
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
January 5- 1905.
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Virgil Wesson (Here insert name of deceased.)

a citizen of the Cherokee Nation, who formerly resided at or near Sallisaw (Here insert name of postoffice), Ind. Ter., and died on the 5 day of August, 1904

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, Catherine Wesson, on oath state that I am 23 years of age and a citizen, by blood, of the Cherokee Nation; that my postoffice address is Sallisaw (Here insert name of postoffice.), Ind. Ter.; that I am mother (State relationship as: the father; an uncle; a cousin, etc.) of Virgil Wesson (Here insert name of deceased), who was a citizen, by blood, of the Cherokee Nation; and that said Virgil Wesson (Here insert name of deceased.) died on the 5 day of August, 1904. Catherine Wesson

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 5 day of Jan 190 5

Samuel Foreman
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, DISTRICT.

I, , on oath state that I am years of age, and a citizen by , of the Nation; that my postoffice address is (Here insert name of postoffice.), Ind. Ter.; that I was personally acquainted with (Here insert name of deceased.) who was a citizen, by , of the Nation; and that said (Here insert name of deceased) died on the day of , 1.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this day of 190

Notary Public.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 27, 1902

Mr. Wiley S. Wesson,

McKey, Indian Territory,

Sir:-

You are hereby notified that the application of Catherine, David and George E. Wesson

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 15 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of the readmission of your wife Catherine.

Cherokee D-1067
Register.

Yours truly,

[redacted]

Commissioner.

COPY.

Cherokee D 1067,

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory,

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Wiley S. Wesson for the enrollment of his wife, Catherine Wesson, and his four minor children, David, George W., Virgil and Virginia Wesson, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 108.

COPY

S - 1067.

Muskogee, Indian Territory, October 24, 1902.

Wiley S. Wesson,

McKey, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of your wife, Catherine, and your four minor children, David, George W., Virgil and Virginia Wesson as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.

Enclosure C. No. 38.

Register.

Cher 9819

Watie E. Davis

Cher 9819

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 8 1901

Statement of Watie Davis--2.

of 1880 and has as a native Cherokee. He has lived in the Cherokee Nation all his life and he will be listed for enrollment as a Cherokee by blood.

He states that his wife is a white woman and that they were married in 1899. She was previously married, and her former husband was also a white man. In no event, therefore, is the applicant's wife entitled to enrollment as she derives no right from her first marriage and her second marriage is after the Cherokee law of December 16th, 1895, and the application for her enrollment is rejected.

When the Commission is supplied with a proper certificate of birth of the child, Watie E. Davis, this child will be listed for enrollment as a Cherokee by blood, but at present it will be placed upon a doubtful card to await a copy of the decree of divorce of the applicant's wife from her first husband and a certificate of marriage showing that she was lawfully married to the applicant as stated by him.

---oooOooo---

J. D. Benson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the

REJECTED, as to Wife, Ida.
DOUBTFUL, as to child, Watie Elmer.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., FEBRUARY 4th, 1901.

In the matter of the application of Stand Watie Davis for the enrollment of himself, wife and chi ld as citizens of the Cherokee Nation; said Davis being sworn and examined by Commissioner Breckinridge, testified as follows:

Q What is your full name? A Stand Watie Davis.
Q How old are you? A 26 years old.
Q What is your post office? A Texana, I. T.
Q In what district do you live? A Canadian.
Q Who is it you want to enroll, just yourself? A Yes, sir, just myself.
Q No family? A Yes, sir.
Q What family have you? A Jeff Davis.
Q Have you got a wife? A Yes, sir.
Q How many children have you? A One.
Q When you want to enroll yourself, wife and one child? A Yes, sir., it is a white woman, my wife is.
Q You are a Cherokee by blood are you? A Yes, sir.
Q Your wife you say is a white woman? A Yes, sir.
Q How long have you lived in the Cherokee Nation, all your li fe?
A Yes, sir, I was born about two miles from where I am living.
Q Give me the name of your fat her? A Jeff Davis.
Q Is he living? A No, sir.
Q Give me the name of your mother? A Deggie Davis.
Q Is she ali ve? A No, sir.
Q Give me the name of your wife? A Ida Davis.
Q How old is she? A 26.
Q What was her name when you married her? A Ida Harper.
Q Was that her maiden name? A Yes, sir.
Q She was never marri ed except to you? A No, sir. Yes, she has been married once.
Q Whom was she married to before? A Emory.
Q What was his full name? A Joe Emory.
Q When did she marry Emory? A Texana.
Q How long ago? A '94 I think.
Q When did you marry your wife, Ida? A '99.
Q Was Emory dead when she married you? A No, sir, they separated.
Q Did she get a divorce from him? A Yes, sir.
Q Where is the decree, have you got a copy of the decree of divorce?
A No, sir, not here.
Q Were you ever married except to this wife? A That is all.
Q This is the only time you have ever been married? A Yes, sir.
Q Have you got a certificate of your marriage to this woman? A I did not know it was any use to bring with me.
Q Have you got one at home? A Yes, sir.
Q What is the name of your child? A Watie Elmer Davis.
Q How old is that child? A Two months and four days.

Tribal rolls of the Cherokee Nation examined and applicant's name found thereon as follows:
1880 Authenticated r oll; page 14, #365, S. W. Davis, Canadian.
1896 Census roll; page 1042, #31, Stand Davis, Orphan Roll, Saline district.

Q Was your wife's first husband a Cherokee or white man? A White man.

Com'r Breckinridge) The applicant applies for the enrollment of himself, his wife and one child. He is identified on the rolls

Stand Watie Davis--2

ex rel

of 1880 and 1896 as a native Cherokee. He has lived in the Cherokee Nation all his life and he will be listed for enrollment as a Cherokee by blood.

He states that his wife is a white woman and that they were married in 1899. She was previously married, but her former husband was also a white man, in no event, therefore, is the applicant's wife entitled to enrollment as she derives no right from her first marriage and her second marriage is after the Cherokee law of December 15th, 1825, and the application for her enrollment is rejected.

When the Commission is supplied with a proper certificate of birth of the child, Watie E. Davis, this child will be listed for enrollment as a Cherokee by blood, but at present it will be placed upon a doubtful card to await a copy of the decree of divorce of the applicant's wife from her first husband and a certificate of marriage showing that she was lawfully married to the applicant as stated by him.

---oooOOOooo---

I, O. Mosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Mosson

Subscribed and sworn to before me this 4th day of MAR February, 1901.

Commissioner.

D1080 B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 4 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION

Date May 4, 1901 1900.

Name Leanna D. N.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Natie E. Davis Dist. Year Page No. Age 9 mo

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Birth affidavit to be supplied

Enrolled by father, Leland N. Davis

as to marriage of parents see

Card No R —

[redacted]

C

20

IN RE

Application for Enrollment of

INFANT CHILD

Katie E. Davis

as a citizen of the

Cherokee Nation.

Approved Feb 4 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 4 1901

ACTING CHAIRMAN

1 22 64



DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Hale E. Davis, born on the 30th day of November, 1900
(Here insert name of child)
Name of Father: Stan H. Davis, a citizen of the Cherokee Nation.
Name of Mother: Ida Davis, a citizen of the Cherokee Nation.
Post-office, Texanna Ind Ty.

[redacted]

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Northern District.

I, Ida Davis, on oath state that I am 26 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Stan H. Davis, who is a citizen, by Blood, of the Cherokee Nation; that a male child was born to me on the 30th day of November 1900; that said child has been named Hale E. Davis

[redacted]

(Must be Two Witnesses.)

[redacted]

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Northern District.

I, J. M. Mooneyham, a [illegible], on oath state that I attended on Mrs. Ida Davis, wife of Stan H. Davis, on the 30th day of November, 1900; that there was born to her on said date a male child; that said child is now living and is said to have been named Hale E. Davis

J. M. Mooneyham

(Witness)

Subscribed and sworn to before me this [illegible] day of [illegible] 1900

Thomas Downing
NOTARY PUBLIC

Cherokee D. 1880

OFFICE OF THE CIRCUIT COURT CLERK

ROANE COUNTY.

S. H. Bright, Clerk Kingston, Tenn. Mch 4th 1901.
Hon. Jas. G. Parks, Judge.

TO WHOM IT MAY CONCERN; This is to certify that there was a divorce granted Dec. 17th 1898, to JosephC. Hendree vs. Ida Hendree, in Circuit Court, Kingston, Roane County, Tenn.

Given under my hand and seal

(S E A L) This Mch 4, 1901.

S. H. Bright, Clk.

I, the undersigned, as stenographer to the Commission to the to the Five Civilized Tribes, do certify that the above is a full and correct copy of the certificate on file in this office.

Ella Mealey

Cherokee D 1080 (17)

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

No. 407.

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and publish the Bans of Matrimony between Mr. S. W. Davis, of Texanna, in the Indian Territory, aged 21 years, and Miss Ida Harper, of Texanna, in the Indian Territory, aged 24 years, according to law, and do you officially sign and return this license to the parties therein named.

WITNESS my hand and official seal at Muskogee, Indian Territory this 1st day of Dec A. D. 189-8.

(S E A L)

J. A. Winston
Clerk of the U. S. Court.

By N. S. Young Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT, } ss.

I, R. M. Bean, a Minister of the Gospel, Do Hereby Certify, that on the 10 day of Dec, A. D. 189-8, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this 10 day of Dec A. D. 1898.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book [illegible], Page [illegible].

R. M. Bean
A Minister of the Gospel.

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, James A. Winston, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 16 day of Dec 1899, at ..... M., and duly recorded in Book I, Marriage Record, Page 55.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 18 day of Dec, A. D. 1899.

Jas. A. Winston Clerk.

By ..... Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., June 7, 1902.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Stand Watie Davis, as citizen of the Cherokee Nation.

as stenographer to the Commission to the Five Civilized tribes,

Ella Mielern
Commissioner

Cherokee D 1080

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Watie E. Davis as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on February 4, 1901, Stan W. Davis appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment, among others, of his minor child, Watie E. Davis, as a citizen by blood of the Cherokee Nation. The other parties to the application are differently classified and are not embraced in this decision.

The applicant in this case was born November 30, 1900, and proper proof of his birth has been furnished this Commission. It appears from the evidence that he is the son of Stan W. Davis, a native Cherokee, and his lawful wife, Ida Davis. The father of applicant is duly identified on the 1880 authenticated roll of the Cherokee Nation and also on the 1896 Census roll and has resided in the Cherokee Nation all his life. It is considered that the said Watie E. Davis has lived in the Cherokee Nation from his birth up to and including the date of this application.

It is, therefore, the opinion of this Commission that Watie E. Davis should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902

COPY.

Cherokee D 1060.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Stan W. Davis for the enrollment of his minor child, Watie E. Davis, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 109.

COPY.

D - 1080.

Muskogee, Indian Territory, October 24, 1902.

Stan Watie Davis,

Tomnema, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of your minor child Watie E. Davis, as a citizen, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.

Commissioner to the Five Civilized Tribes.

Enclosure C. No. 34.

Register.

Cher 9820

John W. Brackett

Cher 9820

D1087

DEPAR

FEB 1901

ACTING CHAIRMAN

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. February, 5th 1901.

In the matter of the application of John W. Brackett, for the enrollment of himself and two minor brothers as Cherokee citizens; he being sworn before Commissioner C. R. Breckinridge, testified as follows:

Q What is your name? A. John W. Brackett.
Q How old are you? A. I am 22.
Q What is your post office? A. Sallisaw.
Q In what District do you live? A. Sequoyah,
Q Who is it that you want to have enrolled? A. Myself, and I got two little brothers.
Q Is your father dead? A. Yes sir, and my mother also.
Q How many brothers have you? A. Two, and two sisters.
Q All under age? A. My sisters are both married.
Q Your sisters will have to apply for themselves—Are you a Cherokee by blood? A. Yes sir.
Q How long have you lived in the Cherokee Nation? A. I come here in 1896—in March.
Q You are an admitted citizen then? A. Yes sir, re-admitted when I come here.
Q Have you a certificate of your re-admission? A. Yes sir.

The applicant presents a duly authenticated certificate of admission to Cherokee citizenship, issued by the Cherokee Commission on citizenship, shwoing that on August, 16th, 1889, certain persons were admitted to citizenship by said Commission, and among them appears the name of John W. Brackett, age at that time, eight years.

Q That is your name isit? A. Yes sir.

This is recognized as official evidence of the applicant's admission as stated, and the document is filed herewith.

Q Give me the name of your father? A. Bradford W.
Q Is he dead? A. Yes sir.
Q Give me the name of your mother? A. Lucinda E.
Q Is she dead? A. Yes sir.

The certificate cited shows that at the time previously stated, the applicant's father was admitted to citizenship as well as the applicant himself.

Cherokee census roll of 1896 examined and upon page 1057, #264 thereof, the applicant appears as John W. Bracket, in Sequoyah district, as 17 years of age.

Q Give me the names of your two younger brothers? A. Jefferson Brackett.
Q How old is he? A. Thirteen years old I reckon.
Q Give me the name of the next child. A. Thomas B. Brackett.
Q How old is that child? A. Eleven years old.
Q Are they both living now? A. Yes sir.
Q Do they live with you? A. No sir, one with my cousin and one with my uncle.

Cherokee census roll of 1896 examined and upon page 1057, #267 thereof, appears the name of Jefferson Bracket in Sequoyah district; upon page 1057, #268 appears the name of Thomas B. Bracket in Sequoyah district.

Q When did your brother Jefferson come to the Cherokee Nation? A. When I did.
Q Why is he not on the Certificate of admission? A. Wasn't born at that time I reckon.

Q Did Thomas B. come to the Cherokee Nation at the same time you did?
A. Yes sir.

Com'r. Breckinridge:-

The applicant applies for the enrollment of himself and two minor brothers. The father and mother of this family are both dead, and this applicant is permitted to apply for the two children It is shown by a certificate filed herewith that this applicant and his father were admitted to citizenship in 1889 by the Cherokee Commission on citizenship, and it is shown that the applicant and his two brothers came to the Cherokee Nation in 1896, when all of them were minors. They are all three identified on the roll of 1896; they have lived in the Cherokee Nation ever since they came here in 1896, and they will now be listed for enrollment as Cherokees by blood but on a doubtful card for the purpose of considering objections that are made by the Cherokee representatives against the admission of all the members of this family. The final decision of the Commission will be made known to the applicant, and if there are any developments made with reference to the questions stated, requiring the further attention on the part of the applicant and his brothers, they will be given due notice of that fact.

Supplemental examination of applicant by the Commission:-

Q, Have you and your brothers lived in the Cherokee Nation ever since you came here in 1896? A. Yes sir.
Q They are your full brothers are they? A. Yes sir.

* * * * * * * * * * * * * * * *

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in that above entitled cause and that the foregoing is a full, true and correct transcript of his stenographic notes thereof.

Chas von Weise

Subscribed and sworn to before me this the 5th of February, 1901.

Commissioner.

13

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 5 1901

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Sequoyah

Date Feby 5 1901 1900.

1 Name Wm. D. Brackett Sallisaw, I. T.

District Sequoyah Year 1896 Page 105 No. 264

Citizen by blood yes Mother's citizenship

Intermarried citizen no

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 William Brackett Dist. Sequoyah Year 1896 Page 105 No. 267 Age 13

3 Arthur B " Dist. " Year 1896 Page 105 No. 268 Age 11

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Not entitled to citizenship in the Cherokee Nation, Aug 16, 1889.

Not entitled to rights as child of Wm. D. Brackett.

Not " " 1891 " " William "

Not " " 1891 " " Arthur "

D 1082

"C"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 5 1901

ACTING CHAIRMAN.

Office Commission on Citizenship
Cherokee Nation Ind Ter
Tahlequah Aug 16th 1887

The evidence in the above named case, Shows that the applicant is the son of Midge Brackett and Cynthia Brackett nee Cynthia Hubbard and grand son of Nellie Wilkerson from whom he derives his Cherokee blood. The names of ancestor are found on the census rolls of Cherokees by blood, Taken and made in the year 1852 by the United States, The Commission therefore decide that Bradford W. Brackett Age 41 and children Laura Brackett age 12 years, John W. age 8 yrs Catherine 7 years Mary age 6 yrs & Arthur Brackett age 1 year are of Cherokee Blood and entitled to readmission to Citizenship in the Cherokee Nation See Docket 666 Book B. page 381.
P.O. Carlisle Georgia.

Attest
D L Williams
Asst Clerk Commission

Wilb P Ross
Chairman
John E Gunter Comm

I R Z Hanks Asst Executive Secretary do hereby certify that the above is a true and correct copy of the record now on file in the Executive office of the Cherokee Nation Docket 734 Book B page 381
Given under my hand & the Seal of The Cherokee Nation this July 22nd 1897
Robert Z Hanks
Asst Exec Secy

Cherokee D 1062

Office Commission on Citizenship,
Cherokee Nation, Ind. Ter. Tahlequah,
Aug 16th 1889.

The evidence in the above named case, shows that the applicant is the son of Midge Brackett and Cynthia Brackett nee Cynthi a Hubbard, and grand son of Nellie Wilkerson from whom he derives his Cherokee blood. The names of Ancestor are found on the Census rolls of Cherokees by blood, taken and made in the year 1883 by the United States. The Commission therefore decides that Bradford W. Brackett, age 41 and children Laura Brackett age 12 years, John W. age 8 yrs Catherine 7 years, Mary age 6 years and Arthur Brackett age 1 year are of Cherokee blood and entitled to re-admission to Citizenship in the Cherokee Nation. See Docket 666 Book B. page 381.

P. O. Carlisle, Com.
Attest D. L. Williams,
Asst Clerk Commission.

Will F. Ross,
Chairman,
John B. Gunter, Com.

I, R. T. Hanks, assistant executive secretary do hereby certify that the above is a true and correct copy of the record now on file in the Executive Office of the Cherokee Nation. Docket 734 Book B page 450.

Given under my hand and the seal of the Cherokee Nation this July 22nd 1897.

S E A L

Robert T. Hanks Asst Exed Secy.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, do certify that the above is a full abd correct copy of the certified copy on file with this Commission

Ella Mellenz

and she will be notified at her postoffice address of the decision of the Commission, when the same is arrived at.

The Cherokee Nation moves that the testimony taken herein may be made part of the record in the case of John W. Brackett, who is listed for enrollment on Cherokee B card 1082, and the same is ordered.

.....

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Sworn to and subscribed before me this the 27th of September, 1901.

Commissioner.

File with John W. Brackett's Cherokee Enrollment.

Y

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., September 25, 1901.

In the matter of the application of Mary Hill for the enrollment of herself and one niece as Cherokees by blood.

Mary Hill, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Mary Hill.
Q How old are you? A 19 years old.
Q What is your postoffice address? A Salliasw.
Q What district do you live in? A Sequoyah.
Q Do you apply to be enrolled as a Cherokee by blood? A Yes, sir.
Q Have you ever been recognized by the Cherokee authorities as a Cherokee citizen? A Yes, sir.
Q Is your name on any of the rolls of the Cherokee Nation? A Yes, sir.
Q Is your name on the roll of 1880? A I couldn't be.
Q Who do you want to enroll besides yourself? A My niece, my sisters child, she is dead.
Q What is your niece's name? A Agnes Brackett.
Q How old is she? A 5 years old.
Q What was your father's name? A Bradford W. Brackett.
Q Is he living? A No, sir.
Q What was your mother's name? A Lucinda.
Q Is she living? A No, sir, she is dead too.
Q What was the mother's name of Agnes Brackett? A Laura Brackett.
Q Is she living? A No, sir, she is dead.
Q Is Laura Brackett a sister of yours? A Yes, sir.
Q How long has she been dead? A She has been dead about four years.
Q How old is Agnes? A 5 years old.
Q Is Agnes got any guardian? A None but me.
Q She is living with you? A Yes, sir.
Q Her father living? A I can't tell you whether he is or not, I don't know.
Q You are raising the child, are you? A Yes, sir.
Q Was your father a Cherokee? A Yes, sir.
Q Your mother? A No, sir.
Q Your mother was a white woman? A Yes, sir.

Mr. Wm W. Hastings, Cherokee Representative: Have you got a certificate of admission? A You all have got it, John W. Brackett left it with you when you were at Muskogee last winter.

Commissioner: Who is John W. Brackett? A He is my brother.

Q Are you Married? A Yes, sir.
Q What is your husband's name? A Charley Hill.

Commissioner: Applicant presents a certified copy of a certificate of admission, stating that, at the office of the Commission on Citizenship, Tahlequah, Cherokee Nation, the 16th day of August, 1889, among others, one Mary Brackett, the child of Bradford W. Brackett, was admitted to Cherokee citizenship, and also that said certificate shows that Laura Brackett, a sister of the said Mary Brackett and daughter of Bradford W. Brackett, was admitted to Cherokee citizenship; said admission being recorded in Docket B, Page 231, the certificate being certified to by Wm. P. Ross, Assistant Executive Secretary, under the Great Seal of the Cherokee Nation. The original certificate is filed in the matter of the application of John W. Brackett, Card D-1067.

The 1880 census roll of Cherokee citizens examined, and the applicant is identified thereon as [illegible]
Mary Hill on page 1067, No. [illegible]
Mary J. Brackett;

Agnes Brackett on page 1067, No. [illegible]

Agnes Bracket:
Laura Brackett on page 1057, No. 265, Sequoyah district, as Laura Bracket.

Q How long have you lived in the Cherokee Nation? A Six years.
Q Where did you come from to the Cherokee Nation? A Georgia.
Q Came from the State of Georgia six years ago? A Yes, sir.
Q Where was Agnes born? A In the Cherokee Nation.
Q Did Laura come to the Cherokee Nation at the same time you did?
A Yes, sir.
Q You been living in the Cherokee Nation ever since? A Yes, sir.
Q Agnes is living now, is she? A Yes, sir.
Mr. Hastings: What time of the year did you come six years ago?
A In March.
Q Of what year? A Of 1896.
Q In March of 1896? A Yes, sir.
Q Did your father come at the same time? A No, sir, he came in November before that.
Q In November of 1895? A Yes, sir.
Q And the rest of your father's family in November of 1895?
A No, sir, they all came in March.
Q The rest of them came in March of 1896? A Yes, sir.
Q Of what did your father's family consist when you all arrived here in 1896; I understand that some of you came in the fall, but when you all got out here in 1896, who of your father's family was here at that time? A Well, Laura and John Brackett and myself and Jeff Brackett and Tom and Allen, he died afterwe came.
Q Now which ones came in the fall of 1895? A Just my father.
Q In November of 1895? A Yes, sir.
Commissioner: What did you say your husband's name was? A Charley Hill.
Q When were you married to him? A This coming October two years.
Q Is he a citizen? A No, sir.
Q A non citizen? A Yes, sir.
Q You have no children? A No.

Mr. Hastings: The representatives of the Cherokee Nation call attention to the act of December 4, 1894, being an act with reference to the return of people admitted to citizenship, within six months from that date, in the Cherokee Nation, and they ask that the testimony taken in this case be made supplemental testimony in the case of John W. Brackett, D-1068.

Commissioner: Mary Hill applies for the enrollment of herself and her niece, Agnes Brackett. She avers that she is the daughter of Bradford W. Brackett. She presents satisfactory proof of her admission to Cherokee citizenship, more particularly described in the testimony. She is duly identified upon the census roll of 1896. She avers that her sister, Laura Brackett, now deceased, had a child named Agnes -
Q Was this child named Agnes Brackett? A Yes, sir.
Q Laura wasn't married then? A No, sir.
- had a child named Agnes, and that she is now the custodian of said child, and the name of the said Agnes Brackett is identified upon the census roll of 1896, all according to page and number of the roll as indicated in the testimony. The applicant avers that she and her sister Laura removed with their father to the Cherokee Nation about six years ago. She avers that she is married to one Charley Hill, a non citizen, and she accounts for the difference in her name between Brackett and Hill. By reason of the fact of her recent removal to the Cherokee Nation and the absence of the representative of said Mary Hill and her niece, Agnes Brackett, will be now listed for enrollment as Cherokee citizens upon a doubtful card, awaiting further consideration of the Commission, and

and she will be notified at her postoffice address of the decision of the Commission, when the same is arrived at.

The Cherokee Nation prays that the testimony taken herein may be made part of the record in the case of John W. Brackett who is listed for enrollment on Cherokee D card 1052, and the same is ordered.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 27th of September, 1901.

T. B. Needles

Commissioner.

L. 1082.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., March 19, 1903.

In the matter of the application of John W. Bracket for the enrollment of himself and brothers as citizens of the Cherokee Nation.

Applicant represented by J.H. Mucklebery, Sr., Esq., of Sallisaw, I.T.
Cherokee Nation represented by A. F. Hastings.

The applicant was notified by letter dated March 2, 1903, that his application for the enrollment of himself and brothers as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at the office in Muskogee, Indian Territory, on the 19th day of March, 1903. The applicant this day, to wit the 19th day of March, 1903, appears by his attorney, J. H. Mucklebery, Sr., Sallisaw, I. T.

COMMISSION: Do you submit the case in behalf of the applicant?
MR. MUCKLEBERRY: Yes, Sir.
The attorney for the Cherokee Nation [illegible] and the Cherokee Nation present submit [illegible] and will be reported by the Commission [illegible] upon the evidence now of record.

I, Arthur S. Tompkins, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I reported all the testimony on the hearings in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

[illegible]

D. 1062.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., March 19, 1902.

In the matter of the application of John W. Brackett for the enrollment of himself and brothers as citizens of the Cherokee Nation.

Applicant represented by J.H.Muckleberry,Sr.,Sallisaw,I.T.
Cherokee Nation represented by W. W. Hastings.

The applicant was notified by registered letter February 28, 1902, that his application for the enrollment of himself and brothers as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 19th day of March, 1902. The applicant this day, to wit the 19th day of March, 1902, appears by his attorney, J. H. Muckleberry, Sr., Sallisaw, I. T.

COMMISSION: Do you submit the case in behalf of the applicant?
MR. MUCKLEBERRY: Yes, sir.
The attorney for the applicant and the representatives of the Cherokee Nation present submit the case; the same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

I, Arthur G. Croninger, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

Arthur G. Croninger

Discharge [illegible]

[illegible] Commissioner of the State of [illegible] and by the authority of the

[illegible] John W. Packard [illegible]

[illegible]

[illegible]

Cherokee D 1082

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

N.A.L.
604

In the matter of the application of John W. Brackett for the enrollment of himself and his two brothers, Jefferson and Thomas B. Brackett, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

--oOo--

The record in this case shows that on February 5, 1901, John W. Brackett appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of himself and his two brothers, Jefferson and Thomas B. Brackett, as citizens by blood of the Cherokee Nation. The testimony taken in the matter of the application of Mary Hill, et al., for enrollment as citizens by blood of the Cherokee Nation, is made part of the record in this case.

The evidence shows that the said John W. Brackett, a Cherokee by blood, was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, on August 16, 1889. The father of said John W. Brackett, Jefferson Brackett and Thomas B. Brackett, was admitted to citizenship in the Cherokee Nation at the same time. Jefferson Brackett and Thomas B. Brackett had not been born at the time of the admission of their brother and their father to citizenship. John W. Brackett, Jefferson Brackett and Thomas B. Brackett are all identified on the Cherokee census roll of 1896.

The evidence further shows that the said John W. Brackett, Jefferson Brackett and Thomas B. Brackett came to the Cherokee Nation in March 1896, all being minors at that time, and have lived in the Cherokee Nation ever since that date.

It is, therefore, the opinion of this Commission that John W. Brackett, Jefferson Brackett and Thomas B. Brackett should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this SEP 20 1902

32 #9820

IN RE
THE DEATH OF

John M. Brackett
a citizen of the

Cherokee *Nation.*

Approved Dec. 5 *1904*

C. A. Breckinridge.
Commissioner.

DEC 5 - 1904

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of John W. Brackett (Here insert name of deceased)

a citizen of the Cherokee Nation, who formerly resided at or near

Sallisaw (Here insert name of post office), Ind. Ter., and died on the 20 day of

~~November~~ March, 1903

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern District.

I, Benjamin Brackett, on oath state that I am 55 years of age and a citizen, by Blood, of the Cherokee Nation; that my post office address is Sallisaw, (Here insert name of post office) Ind. Ter.; that I am Second Cousin (State relationship as: the father; an uncle; a cousin, etc.) of John W. Brackett (Here insert name of deceased), who was a citizen, by Blood, of the Cherokee Nation; and that said John W. Brackett (Here insert name of deceased) died on the 20 day of March, 1903

Benjamin his X mark Brackett

WITNESSES TO MARK:
(Must be Two Witnesses) Guy L Reed
J. R. McMurtrey Jr.

Subscribed and sworn to before me this 19th day of November 1904

My Com. Exp. 4/30/07 Guy L Reed Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
November District.

I, C.O. Frye, on oath state that I am 50 years of age, and a citizen, by Blood, of the Cherokee Nation; that my post office address is Sallisaw, (Here insert name of post office) Ind. Ter.; that I was personally acquainted with John W. Brackett (Here insert name of deceased), who was a citizen by blood, of the Cherokee Nation; and that said John W. Brackett (Here insert name of deceased) died on the 20th day of Maron, 1903

C O Frye

WITNESSES TO SIGNATURE:
(Must be Two Witnesses) Guy L Reed
J. R. McMurtrey

Subscribed and sworn to before me this 19th day of November 1904

Guy L Reed Notary Public.

My Com Exp 4/30/07

E D1082

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee D-1068.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 28, 1902.

Mr. John W. Braskett,

Sallisaw, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and two minor brothers

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 19 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Commissioner in Charge.

Register.

Acting Chairman.

COPY.

Cherokee D 1082.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of John W. Brackett for the enrollment of himself and his two brothers, Jefferson and Thomas B. Brackett, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 110.

COPY.

D - 1082.

Muskogee, Indian Territory, October 24, 1902.

J. H. Huckleberry, Sr.,
Attorney for J. W. Brackett and others,
Sallisaw, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting the application of John W. Brackett for the enrollment of himself and two brothers, Jefferson and Thomas B. Brackett, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. F. Breckinridge
Acting Chairman.
Commissioner in Charge.

Enclosure S. No. 83.
Register.

COPY.

D - 1062.

Muskogee, Indian Territory, October 24, 1902.

John W. Brackett,
Gallisaw, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of yourself and your two brothers, Jefferson and Thomas B. Brackett, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge.
Acting Chairman.

Enclosure C. No. 52.
Register.

Cher 9821
Nancy Benge

Cher 9821

A Yes sir.
Q How long had you been married when this child was born? A We had been married about two years.
Q Did she ever have any other child excet this child? A No sir.
Q She did not have any children when you married her? A No sir.

Tribal Rolls of the Cherokee Nation further examined, and the name of Sixkiller Henson is found thereon as follows:
1880 Roll (Authenticated), Page 769, #1047, Six Henson, Tahlequah District.
1896 Census Roll, Page 1188, #1594, Six Henson, Tahlequah District.

NANCY BENCH RECALLED:
Q This child is living now, is it? A Yes sir.

Commissioner C. R. Breckinridge: The applicant applies for the enrollment of herself and an orphan child in her charge: She is doubtfully identified on the roll of 1896, as Nancy Raper; she cannot be identified on the roll of 1880; she states that she is a Cherokee by blood and claims to be a full blood and to have lived in the Cherokee Nation all her life; for her more satisfactory identification, she will be listed for enrollment as a Cherokee by blood, upon a doubtful card and the final result will be made known to her at her postoffice address.
The child, Cassie M. Henson is identified with her deceased mother on the roll of 1896; her father is identified on the rolls of 1880 and 1896 as a native Cherokee and the father and mother

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., FEBRUARY 18th, 1901.

IN THE MATTER OF THE APPLICATION OF Nancy Benge for the enrollment of herself and an orphan child - CASSIE HENSON - as citizens of the Cherokee Nation, and Nancy Benge, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows; through interpreter, Simon Walkingstick:

Q Give me your full name? A Nancy Benge.
Q How old are you? A About sixty years old.
Q What is your Postoffice? A Wagoner.
Q In what district do you live? A Tahlequah District.
Q Who is it you want to have enrolled; just yourself.?
A Myself and an orphan child.
Q Are you a Cherokee by blood? A Yes sir.
Q You claim to be a full blood, do you? A Yes sir.
Q How long have you lived in the Cherokee Nation?
A Born and raised here.
Q Lived here all your life? A Yes sir.
Q Give me the name of your father? A Catfield (Cat Field)
Q Is he dead? A Yes sir.
Q Give me the name of your mother? A Arlie, Catfield.
Q Is she dead? A Yes sir.
Q How many times have you been married? A Twice.
Q What was your name in 1880; twenty years ago? A I think it was Benge.
Q Your first husband was named Benge, was he?
A My first husband was named Raper.
Q His full name what? A Joe. [redacted]
Q Joe Raper? A Yes sir.
Q Is he dead? A Yes sir.
Q And your next husband; what was his name? A Riddle Benge.
Q Is he dead? A Yes sir.
Q Give me the name of this orphan child? A Cassie Henson.
Q How old is the child? A Six years old.
Q Is the mother of that child dead? A Yes, she's dead.
Q What was her mother's name? A Annie Henson.
Q What was the name of the father of that child? A Sixkiller Henson.
Q What was Annie Sixkiller's name before she married Henson?
A Annie Sevier.
Q Was she ever married except to Sixkiller Henson?
A I don't know, she says, exactly; that is the only husband she ever had so far as she knows.
Q Was her father named Sevier? A I think so.
Q Do you know his full name? A No sir, I don't know his full name.
Q Was Annie a full blood Cherokee? A No sir, she was a mixed breed; she was rather fair.
Q Is this child's father dead? A No sir, he is living; sitting right over there.
Q Is the child living with you? A Yes sir.
Q You have charge of it, have you? A Yes sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q Did you live in Tahlequah District all your life? A I have been in that District all my life.
Q Ask her how long her husband, Benge, has been dead?
A He has been dead some thing near twenty years she says. She states that they moved down into Illinois District about fifteen years ago and stayed there until her died, and then returned to Tahlequah District.
Q Well, was he living in 1880? A She does not know exactly.

Com'r. C. R. Breckinridge:
[redacted]
Q [redacted] A I do n't know, that was long something about it

NANCY BENGE ET AL.

--2--

SIKKILLER HENSON, being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows: (interpreter, S.Walkingstick)

Q Give your full name there? A Sikkiller Henson.
Q Were you married to a woman named Annie? A Yes sir.
Q Was her name Annie Sevier? A Yes sir, that was her name.
Q Was she a full blood Cherokee? A She was about a half breed.
Q Was her mother a Cherokee or a white woman? A She claimed to be a Cherokee by blood; I don't know.
whether she was or not.
Q Was her father a Cherokee by blood? A I don't know; she was not raised in this part of the country; she was raised in some other part of the country.

By Mr. W. W. Hastings, Cherokee Representative:
Q Mayby she came from North Carolina? A No, she did not.

Commissioner C. R. Breckinridge:
Q How old was your wife when she died? A I don't know; he says she went to school at the orphan asylum.

By Mr. W. W. Hastings, Cherokee Representative:
Q She was old enough to be on the 1880 Roll? A She was at least twenty any way when she died.

Commissioner C. R. Brreckinridge:
Q When ~~she~~ she died? A Yes sir.
Q Was your wife ever called Annie Hogshooter? A No sir.

Tribal Rolls of citizens of the Cherokee nation examined and the name of the applicant is found thereon as follows:
(1896 Census Roll, Page 1233, #2766, Nancy Raper, Tahlequah District; native Cherokee; fifty years of age.

Q Is there an "M" in this child's name? A Yes sir, Cassie May.

(1896 Census Roll examined, and the name of orphan child for whom the applicant applies is found thereon as follows:
Page 1188, #1596, Cassie M. Henson, Tahlequah D'st.
Cassie M. Henson's mother is identified on the 1896 Census Roll as follows:
Page 1188, #1595, Annie Henson, Tahlequah D'st.

NANCY BENGE RECALLED.
Q When did this woman, Annie Henson die? A She's been dead about five years; probably six years, she says.

Sikkiller Henson recalled:
Q How old are you? A About twenty seven.
Q Give me the name of your father? A Billie Henson.
Q Is he dead? A Yes sir.
Q Give me the name of your mother? A Fannie Henson.
Q Is she dead? A Yes sir.
Q Were you ever married before you married this woman, Annie?
A No sir.
Q Did she live with you until she died? A Yes sir.
Q Was she ever married before she married you? A I can not say as to that; I don't know.
Q How long since you married her? A He says they lived together about four years.
Q How old was she when she died? A I did not know her age.
Q Well, was she about your age? A She was near my age, younger than I was.
Q Was this child born while you and she were living together?

A Yes sir.
Q How long had you been married when this child was born? A We had been married about two years.
Q Did she ever have any other child exept this child? A No sir.
Q She did not have any children when you married her? A No sir.

Tribal Rolls of the Cherokee Nation further examined, and the name of Sixkiller Henson is found thereon as follows:
1880 Roll (Authenticated), Page 769, #1047, Six Henson, Tahlequah District.
1896 Census Roll, Page 1188, #1694, Six Henson, Tahlequah District.

NANCY RENGE RECALLED:
Q This child is living now, is it? A Yes sir.

Commissioner C. R. Breckinridge: The applicant applies for the enrollment of herself and an orphan child in her charge: She is doubtfully identified on the roll of 1896, as Nancy Raper; she can not be identified on the roll of 1880; she states that she is a Cherokee by blood and claims to be a full blood and to have lived in the Cherokee Nation all her life; for her more satisfactory identification, she will be listed for enrollment as a Cherokee by blood, upon a doubtful card and the final result will be made known to her at her postoffice address.
The child, Cassie M. Henson is identified with her deceased mother on the roll of 1896; her father is identified on the rolls of 1880 and 1896 as a native Cherokee and the father and mother are identified as husband and wife on the roll of 1896. It appears from the testimony that they were lawfully married, and it is doubtful whether the mother was a Cherokee or a white woman: The child is now living, and will be listed for enrollment as a Cherokee by blood.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Crawford

Subscribed and sworn to before me this 13th day of February, 1901.

C. R. Breckinridge

COMMISSIONER.

D1093

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 12 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

Sah.

CHEROKEES BY BLOOD AND ADOPTION.

Date Sept. 12 Ft 1900

Name Wagoner K.L.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

161

Wife's name Nancy Bean 1283 2766

District Sahkeyuah. Year 1896 Page ~~12~~ No. ~~33~~

Citizen by blood yes Mother's citizenship Cat Fiedler d

Intermarried citizen no Ellis " d

Married under what law Date of marriage

License Certificate

Names of Children:

2 ~~Sarah M Hinson~~ Dist. Sah. Year 1896 Page 1188 No. 1594 Age 6

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

No 1 in 1896 roll as Nancy Reynolds

" 2 " " " " Sarah M. Hinson

Department of the Interior,
Commission to the Five Civilized Tribes.
Fort Gibson, I.T., April 12, 1901.

In the matter of the application of Nancy Benge for enrollment as a Cherokee by blood.

Additional testimony - Cherokee Orphan Case.

James M. Keyes, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A James M. Keyes.
Q What is your post office? A Chouteau.
Q You are a Cherokee citizen? A Yes, sir.
Q Do you know Nancy Benge? A Yes, sir.
Q State in your own way all you know about her? A I have known her for about fifty years; I knew her before the war and after the war; I know her to be a Cherokee. She is the daughter of Arly Cochran.
Q Arly Cochran was a Cherokee? A Yes, sir.
Q Do you know her mother? A Yes, sir, her mother was Arly Cochran, this woman's mother.
Q She was a Cherokee by blood, was she? A Yes, sir.
Q Was this woman born and raised in the Cherokee Nation? A Yes, sir.
Q Her name does not appear upon the roll of 1880; do you know of any reason why? A No, sir, I don't.
Q You are satisfied that she is a Cherokee citizen by blood and ought to be enrolled? A Yes, sir.
Q Has she always been recognized as such and known as such by the community in which she lives? A Yes, sir.
Q You are a Cherokee citizen by blood [illegible] A Yes, sir.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., April 18, 1901.

In the matter of the application of Nancy Beage for enrollment as a Cherokee by blood.

Additional testimony Cherokee Card Misc.

James M. Keyes, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A James M. Keyes.
Q What is your post office? A Chouteau.
Q You are a Cherokee citizen? A Yes, sir.
Q Do you know Nancy Beage? A Yes, sir.
Q State in your own way all you know about her? A I have known her for about fifty years; I knew her before the war and after the war; I know her to be a Cherokee. She is the daughter of Arly Cochran.
Q Arly Cochran was a Cherokee? A Yes, sir.
Q Do you know her mother? A Yes, sir, her mother was Arly Cochran, this woman's mother.
Q She was a Cherokee by blood, was she? A Yes, sir.
Q Was this woman born and raised in the Cherokee Nation? A Yes, sir.
Q Her name does not appear upon the roll of 1880; do you know of any reason why? A No, sir, I don't.
Q You are satisfied that she is a Cherokee citizen by blood and ought to be enrolled? A Yes, sir.
Q Has she always been recognized as such and known as such by the community in which she lives? A Yes, sir.
Q You are a Cherokee citizen by blood yourself? A Yes, sir.
Q Have you everheld any official position in the Nation? A Yes, sir, I have held a good many.
Q Name some of them please: what official positions have you held? A I have been Chief Justice of the Supreme Court of the Cherokee Nation at one time.
Q Do you know anything else about this case? A No, sir, nothing.
Q Was Arly Cochran living in 1880? A I think not; she was a very old woman at the commencement of the war.
Q Was this woman's father dead at that time? A I didn't know her father; I knew her stepfather, Mose Cochran.
Q She was an orphan child? A No, her mother was Arly Cochran, the mother of this woman was the wife of Mose.
Q After Arly died, I say? A Yes, sir; she may be on the roll as Nancy Arceney.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 18th of April, 1901.

Commissioner.

Supl.-C.D.#1093.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 19, 1902.

SUPPLEMENTAL in the matter of the enrollment of NANCY BENGE as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 28, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee Indian Territory, on the 19th day of March, 1902, and that on said day she might appear before the Commission either in person or by Attorney, when an opportunity would be given her to introduce any additional testimony affecting her application. The applicant has this day, to-wit: the 19th day of March, 1902, been called and failing to respond either in person or by attorney, the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rossen, do hereby certify tyat as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J O Rossen

Cherokee-D- 1093

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Nancy Benge as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on February 12, 1901, Nancy Benge appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment, among others, of herself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Fort Gibson, Indian Territory, on April 12, 1901, and at Muskogee, Indian Territory, on March 19, 1902. The other party to the application is differently classified, and is not embraced in this decision.

The evidence shows that the said Nancy Benge is a Cherokee by blood, and has resided in the Cherokee Nation all her life. She is identified on the 1896 Census Roll of the Cherokee Nation.

The evidence further shows that the said Nancy Benge was a resident of said nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Nancy Benge should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898(30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

Roll 7068

IN RE
THE DEATH OF
Nancy Benge
A CITIZEN OF THE
Cherokee Nation

Approved JAN 8 - 1908 190

Commissioner

DEPARTMENT OF THE INTERIOR
Commissioner to the Five Civilized Tribes
RECEIVED
JAN 8 - 1908

Department of the Interior,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Nancy Benge
(Here insert name of deceased)

a citizen of the Cherokee Nation, who formerly resided at or near Gilbert
(Here insert name of post office) Ind. Ter., and died on the about 15th day of November, 1907

AFFIDAVIT OF RELATIVE

State of Oklahoma }
County of Muskogee }

I, James Raper, on oath state that I am 45 years of age and a citizen, by blood, of the Cherokee Nation; that my postoffice address is Wagoner (Here insert name of postoffice) Ind. Ter.; that I am Son (State relationship: as the father; an uncle; a cousin, etc.) of Nancy Benge (Here insert name of deceased) who was a citizen, by blood, of the Cherokee Nation and that said Nancy Benge (Here insert name of deceased) died on the about 15 day of November, 1907

James his X Raper
mark

WITNESSES TO MARK:
R E Bateman.
(Must Be Two Witnesses)

Subscribed and sworn to before me this 8th day of January, 1908

Walter W. Harrell
Notary Public.

AFFIDAVIT OF ACQUAINTANCE

State of Oklahoma }
County of Muskogee }

I, Jack Crawford, on oath state that I am 26 years of age, and a citizen by blood of the Cherokee Nation; that my postoffice address is Wagoner (Here insert name of postoffice), Ind. Ter.; that I was personally acquainted with Nancy Benge (Here insert name of deceased) who was a citizen, by blood, of the Cherokee Nation; and that said Nancy Benge (Here insert name of deceased) died on the about 15th day of November, 1907

Jack his X Crawford
mark

WITNESSES TO MARK:
R E Bateman
(Must Be Two Witnesses)

Subscribed and sworn to before me this 8th day of January, 1908

Walter W. Harrell
Notary Public.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING
Cherokee D-1092

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 28, 1902.

Mrs. Nancy Benge,

Wagoner, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 19 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Register.

Yours truly,

Commissioner in Charge.

Acting Chairman.

Cherokee D 1093.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 30, 1902, granting the application of Nancy Benge for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 111.

COPY.

S - 1073.

Muskogee, Indian Territory, October 24, 1903.

Nancy Benge,

Wagoner, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1903, granting the application of yourself for enrollment as a citizen, by blood of the Cherokee Nation.

Respectfully,

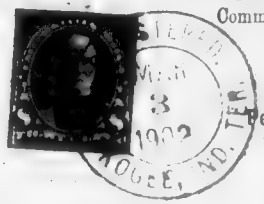
C. R. Breckinridge

Acting Chairman.

Enclosure S. No. 81.

Register.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.



Reg'l

Mrs. Nancy Berge,

Waroner, Indian Terr[illegible].

30770

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS
Penalty for private use, $300.

Nancy Benge,

Wagoner, Indian Territory.

Cher 9822

Ephraim Thorne

Cher 9822

by blood; was born in the Cherokee Nation and lived in the Cherokee Nation all his life until the year 1880, when he entered upon railroad work, running between Muskogee and Denison, Texas, and part of the time working at the mechanists' trade in the railroad shops at Denison of the M. K. & T. Railroad. He is not identified upon the roll of 1880, but is identified on the roll of 1896 as a native Cherokee; he is not on the regular roll of 1894, but states that the Cherokee Strip Money was allowed him in a special Act passed by the Cherokee Council, which included him and his two elder children; this Act is not consulted at this time: He claims that he came back to the Cherokee nation in 1891, and in 1893 he moved his family to the Cherokee nation and that he and his family have lived in the Cherokee nation continuously since that time: He will now be listed for enrollment as a Cherokee by blood, upon a doubtful card, for the further consideration of his case under the conditions stated. It should be added that he claims never to have voted outside of the Cherokee Nation: The first two children, William R. and Louella Thrope are said to be the children of his first wife, Carrie, to whom he claims to have been married in Texas in the year 1884 and he states that neither he nor that wife was previously married and that they lived together continuously until her death some five years ago: He is desired to file with the Commission an official copy of his marriage license and certificate, it being stated by him that this marriage took place in the State of Texas under a Texas license.

These two children are duly identified on the roll of 1896;

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., FEBUARY 12th, 1901.

IN THE MATTER OF THE APPLICATION OF Ephraim Thorne for the enrollment of himself and children as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows;

Q Give me your full name? A Ephraim Thorne.
Q How old are you Mr. Thorne? A About forty nine.
Q What is your Postoffice? A Wagoner.
Q In what district do you live? A Tahlequah.
Q Who is it you want to enroll; yourself and family? A
A Just myself and three children.
Q You do not apply for a wife? A No sir, she's dead.
Q Do you claim to be a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee Nation?
A You might say all my life.
Q All your life? A Very near all my life.
Q Where were you living when not living in the Cherokee Nation?
A I was railroading from 1880 to 1890 from here to Denison and from Denison to Muskogee, and part of the time I was stationed at Denison; I was working in the shops.
Q Were you born in the Cherokee Nation? A Yes sir.
Q Give me the name of your father? A Jacob Thorne.
Q Is he dead? A Yes sir.
Q Give me the name of your mother? A Nancy Thorne?
Q Is she dead? A Yes sir.
Q Give me the names of these children? A The oldest one is William E Thorne.
Q How old is that child? A He was born in 1888.
Q Twelve years old? A Yes sir.
Q The next child? A Lenella.
Q How old is that child? A Born in '91.
Q About nine years old? A Yes sir.
Q Next child? A James Willard.
Q How old is that child? A Born on the 10th of this last January.
Q Are these children all living now? A Yes sir.
Q Give me the name of the mother of these children?
A The mother of the two first ones was Carrie.
Q What was her name when you married her? A Manley.
Q When did you marry her? A I married her in '84.
Q Was she a white woman or a Cherokee? A Yes sir, she was a white woman.
Q Were you ever married before you married that woman? A No sir.
Q Was she ever married before she married you? A No sir.
Q Is she dead? A yes sir.
Q When didshe die? A She died in September of the Fall of 1895 I believe.
Q Did you and she live together until she died? A Yes sir.
Q Have you a certificate of your marriage to her? A No sir, I was married in Texas.
Q Married to her in 1884 in Texas? A Yes sir.
Q What were you doing in Texas? A I was railroading.
Q You said you began railroading in 1880? A I began here in '80.
Q Where did she die? A She died in the Cherokee Nation, Tahlequah District, five miles east of Tahlequah.
Q You had a license when you married her? A Yes sir.
Q Married by a preacher? A yes sir.
Q Give me the name of the mother of your youngest child, James W. A Why, Sallie.
Q What was her name when you married her? A McPhearson.
Q Is she living or dead? A She's dead.
Q When did she die? A She died the 14th of January; this last January.
Q Was she a Cherokee or white woman? A She was a white woman.
Q Have you a certificate of your marriage to her? A Yes sir.

Let me have it? (Applicant hands paper to Commissioner.)

Com'r. C. R. Breckinridge: The applicant presents a license issued by the clerk of the United States Court, Northern District of the Indian Territory, August 14th, 1897, authorizing marriage between himself and Sallie McPherson; the certificate shows that they were united in marriage on the 22nd day of the same month and in the same year by the Reverend John M. Davis. This is filed herewith.

Q How long is it now since you were railroading? A In '90 as well as I remember.
Q And where have you lived since 1890? A I stayed there until '92 and came back to the Cherokee Nation; came to Tahlequah; my family was there; I went back and came back in '94.
Q When did you bring your family? A In '93.
Q You brought your family in 1893? A Yes sir.
Q Has your family been here ever since? A Yes sir.
Q Have you been in the Cherokee Nation ever since then? A Yes sir.
Q What kind of work did you do with the railroad? A I was firing on the road.
Q What else did you do? A Worked at mechanics trade.
Q Where? A At Denison, Texas.
Q Did you work for the railroad from 1880 to 1890? A Yes sir, I was back here to the Nation on visits and outside of these visits I was employed by the Company: I was back here once a year.

Tribal Rolls of the Cherokee Nation examined the names of the applicants found thereon as follows:
1896 Roll, Page 1258, #3474, Eve Thorn, Tahlequah District; Native Cherokee; forty two years of age.(Identified as the applicant)
1896 Roll, Page 1258, #3475, Randolph Thorne, Tahlequah D'st.
(1896 Roll, Page 1258, #3476, Lewellen Thorn, Tahlequah D'st.

Q Did you get your strip money? A Yes sir.
Q Did you get on the roll, or was the money paid to you by special act? A By Act of the Council.
Q Did you draw for your two older children? A Yes sir.
Q You were included in an Act to give money afterwards to certain ones? A Yes sir.
Q When did your father die? A As well as I remember, I was quite small.
Q When did your mother die? A When I was about two weeks old. My father died the second year after the surrender.
Q When you were in Texas working for the railroad, did you vote down there? A No sir, I was not allowed to vote.
Q Never voted at any of the elections? A No sir.
Q Did you vote during that time at any elections in the Cherokee Nation? A No sir., not during that time; I could have done it.

Q You say you lived in the Cherokee Nation from the time you were born until you went into the railroad work in 1880? A Yes sir.
Q Now your last wife; was she ever married before she married you? A No sir.
Q You say she was not married before she married you? A No sir.
Q Did you and she live together from the time you married her until she died? A Yes sir.
Q And you had never been married except to these two women? A No sir.

Com'r. C. R. Breckinridge: The applicant applies for the enrollment of himself and three children; he claims that he is a Cherokee

EPHRAIM THORNE ET AL.

---3---

by blood; was born in the Cherokee Nation and lived in the Cherokee Nation all his life until the year 1880, when he entered upon railroad work, running between Muskogee and Dennison, Texas, and part of the time working at the mechanists trade in the railroad shops at Denison of the M. K. & T. Railroad. He is not identified upon the roll of 1880, but is identified on the roll of 1896 as a native Cherokee; he is not on the regular roll of 1894, but states that the Cherokee Strip Money was allowed him in a special Act passed by the Cherokee Council, which included him and his two elder children; this Act is not consulted at this time: He claims that he came back to the Cherokee Nation in 1891, and in 1893 he moved his family to the Cherokee Nation and that he and his family have lived in the Cherokee Nation co ntinuously since that time: He will now be listed for enrollment as a Cherokee by blood, upon a doubtful card, for the further consideration of his case under the conditions stated. It should be added that he claims never to have voted outside of the Cherokee Nation: The first two children, William R. and Louella Throne are said to be the children of his first wife, Carrie, to whom he claims to have been married in Texas in the year 1884 and he states that neither he nor that wife was previously married and that they lived together continuously until her death some five years ago: He is desired to file with the Commission an official copy of his marriage license and certificate, it being stated by him that this marriage took place in the State of Texas under a Texas license.

These two children are duly identified on the roll of 1896; they are living and they will now be listed for enrollment as Cherokees by blood upon a doubtful card to await the proof of marriage indicated in the testimony and the decision as to the rights of their father.

The marriage to his second wife is established by license and certificate filed herewith; the applicant states that this wife was never married except to him, and that he was never married except to these two women indicated in the testimony; and that his first wife was dead when he married his second wife, his second wife being now dead also, her death following closely the birth of her child.

When the Commission is supplied with a proper certificate of the birth of the child, James W. Thorne, this child also will be listed for enrollment as a Cherokee by blood upon a doubtful card with its father to await the decision in his father's case.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Crawford

Subscribed and sworn to before me this 13th day of February, 1901.

C H Beck

COMMISSIONER.

D 1099

"B"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 12 1901

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath. Sah.

CHEROKEES BY BLOOD AND ADOPTION.

(49)

Date Feb. 12th 1900.

1 Name Elizabeth Thorne Nagoma I.T.

District Sah.

Citizen by blood yes Mother's citizenship Sarah Nat. Cherokee Married Thorne

Intermarried citizen no. Nancy Thorne

Married under what law

Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 William R Thorne Dist. Sah. Year 1896 Page 1258 No. 3475 Age 12

3 Lucella " Dist. Year " Page 1258 No. 3476 Age 9

4 James H. " Dist. Year " Page No. Age born

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

No 1 on 1896 roll as Lee Thorne

" 2 " " " " Randolph Thorne

" 3 " " " " Lucellen

No. 1 Certificate of first marriage to be supplied

No. 4 Certificate of birth to be supplied

A 1004

CERTIFICATE OF RECORD.

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FEB 12 1901
RECEIVED

ss.

I, JAMES A. WINSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the ..... day of ....., 189?, at ..... M., and duly recorded in Book ..... , Marriage Record, Page .....

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this ..... day of ..... A. D. 189?

..... Clerk.

By ..... Deputy.

MARRIAGE LICENSE.

FILED

SEP 14 1897

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } SS.

Jas. A. Winston CLERK. No. 104

To Any Person Authorized by Law to Solemnize Marriage--Greeting:

YOU ARE HEREBY COMMANDED to Solemnize the Rite and publish the Banns of Matrimony between Mr. Ephraim Thorne *of* Wagoner *in the Indian Territory, aged* 47 *years, and Miss* Sallie Mc Pherson *of* Wagoner *in the Indian Territory, aged* 28 *years, according to law, and do you officially sign and return this License to the parties therein named.*

WITNESS my hand and official seal at Tahlequah, this 14th *day of* August *A. D. 1897.*

James A. Winston
Clerk of the U. S. Court.

By H. W. C. Shelton, *Deputy.*

CERTIFICATE OF MARRIAGE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } SS.

I, John M Davis *a* Minister

DO HEREBY CERTIFY, that on the 22 *day of* August *A. D. 1897, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.*

WITNESS my hand this 22 *day of* August *A. D. 189*7.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book Muscogee B *, Page*

John M Davis
Minister

NOTE.—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued within sixty days from the date thereof or the party to whom the License was issued will be liable to the payment of One Hundred Dollars fine or

1

RL 004 A

CERTIFICATE OF RECORD.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT.

ss.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB. 12 1901
CHAIRMAN

I, JAMES A. WINSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 14 day of Sept, 1897, at ____ M., and duly recorded in Book 7, Marriage Record, Page 88

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 03 day of Sept A. D. 1897.

Jas. A. Winston Clerk.

By ____ Deputy.

88

D1094 "D"

20

IN RE

Application for Enrollment of

INFANT CHILD

James W Thomas

as a citizen of the

Cherokee Nation.

Approved, FEB 12 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 12 1901

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of James W Thomas (Here insert name of child.), born on the 10th day of January, 1901

Name of Father: Ephraim Thomas, a citizen of the Cherokee Nation.

Name of Mother: Sallie Thomas, a citizen of the Cherokee Nation.
by adoption

Post-office, Wagoner I.T.

AFFIDAVIT OF ~~MOTHER~~ Father—
Mother deceased

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Ephraim Thomas, on oath state that I am 44 years of age and a citizen, by blood, of the Cherokee Nation; that I am the ~~lawful wife~~ Father of James W Thomas, who is a citizen, by blood, of the Cherokee Nation; that a male (male or female) child was born to me on the 10th day of January — 1901; that said child has been named James W Thomas, and is now living.
Mother died Jany 11th 1901—

Ephraim Thomas

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 12th *day of* February 1901.

Charles Wakefield NOTARY PUBLIC.
Northern Dist I.T.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Nancy Roper Berger, a neighbor, on oath state that I attended on Mrs. Sallie Thomas, wife of Ephraim Thomas, on the 10th day of January, 1901; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named James W Thomas — Mrs Thomas died Jany 11th 1901 —
I was present at the death.

Nancy Roper her X Berger
mark

WITNESSES TO MARK

(Must be Two Witnesses.) R L Wagner
Chas Wakefield

Subscribed and sworn to before me this 12th *day of* February 1901.

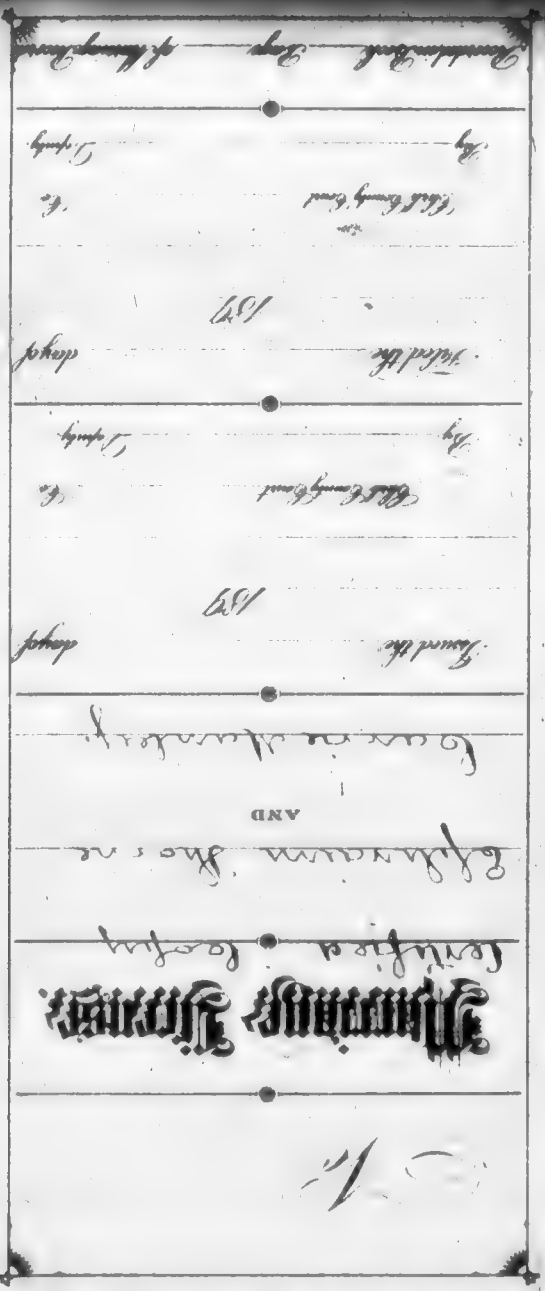
Chas Wakefield NOTARY PUBLIC.
Northern Dist I.T.

My Com Exp May 7th 1903

N 1094

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 28 1901

A... Chairman



the State of Texas



Marriage License.

To any Judge of the District Court, Judge of the County Court, Ordained ~~or Licensed~~ Minister ~~Jewish Rabbi~~, or Justice of the Peace of Grayson County Greeting:

You are hereby Authorized to Celebrate the

RITES OF MATRIMONY

Between [illegible] Myers

and [illegible]

and make due return to the Clerk of said Court within sixty days thereafter, certifying your action under this License.

Witness my Official Signature and Seal this [illegible] day of [illegible] 188~~8~~

[illegible] Clerk

By [illegible] Deputy

I [illegible] certify that on the [illegible] day of December 188~~8~~ 1883 I united in Marriage [illegible] and [illegible] the parties above named.

Witness my hand this [illegible] day of [illegible] 188~~8~~

[illegible]

Returned and filed for record the [illegible] day of [illegible] 18~~8~~9

and recorded the [illegible] day of [illegible] 188~~9~~

[illegible] Deputy [illegible] County Clerk

Clarke & Courts, Stationers, Printers & Lithographers, Galveston.

The State of Texas

No. 1

Marriage License.

Certified Copy

Ephraim Thorne

AND

Carrie Hurley

Issued the ____ day of

189

Clerk County Court

By ____ Deputy

Filed the ____ day of

189

Clerk County Court

By ____ Deputy

Recorded in Book ____ Page ____ of Marriage Records

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 28 1901

CHAIRMAN

4601

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 28 1901

Acting Chairman

No. 1

Marriage License.

Certificate of Record

Chickasaw Nation

AND

Choctaw Nation

Issued the ____ day of ____ 19__

Clerk County Court

By ____ Deputy

Filed the ____ day of ____ 19__

Clerk County Court

By ____ Deputy

Recorded Book ____ Page ____ this ____ day of ____ 19__

The State of Texas }
County of Lavaca } I, [illegible] Clerk of the County Court in and for said County and State aforesaid, certify that the foregoing [illegible] contains a true and correct and full copy from the Record of marriages of said County and that the foregoing is a true and correct copy of the original Marriage License and Certificate of Record of the same as appears of record in my office.

Witness my hand and official seal of office this [illegible] day of [illegible] 1901

[illegible]
County Clerk Lavaca County, Texas

[redacted]

Q You married your first wife and your first two children were born in Texas? (No response.)

MR. BEUGE: You never made application for admission? A No, sir.

Q You have participated and been recognized since your return as a citizen of the Cherokee Nation? A Yes, sir.

Q Participated in the payments? A Yes, sir.

Q I believe you appear on the 1896 roll all right? A Yes, sir.

The attorney for the applicant and the representatives of the Cherokee Nation present submit the case; the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant requests and will be granted ten days in which to file briefs in the case, one copy with the Commission and one copy with the representatives of the Cherokee Nation.

I, Arthur G. Crecelius, Notary Public, do hereby certify that the stenographer to the foregoing is to the best of my knowledge skilled and reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcription of my stenographic notes thereof.

D. 1094.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., March 19, 1902.

In the matter of the application of Ephraim Thorne for the enrollment of himself and children as citizens of the Cherokee Nation.

Applicant represented by G. W. Benge.
Cherokee Nation represented by W. W. Hastings.

The applicant was notified by registered letter February 28, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 19th day of March, 1902. The applicant this day, to wit the 19th day of March, 1902, appears by his attorney, G. W. Benge.

EPHRAIM THORNE, the applicant, being first duly sworn, testified as follows:

MR. BENGE: What is your name? A Ephraim Thorne.
Q How old are you? A Between fifty and fifty-one.
Q What is your postoffice address? A Wagoner.
Q Why how come you to get out of the country? A Railroading.
Q When was that, when did you go to railroading? A In '80.
Q In '80? A Yes, sir.
Q Was that before the census of 1880 was taken? A Yes, sir.
Q Well, how long did you railroad? A I don't know, about eight years I reckon.
Q Eight? A Yes, sir, off and on.
Q Then when did you come back to the country? A 1885 and 1886 I come back to the country, but then I went back.
Q You was backwards and forwards? A Yes, sir, I got leave of absence.
Q Who from? A From the M. K. & T. Railroad Company.
Q Did you ever make a home outside of the Cherokee Nation anywhere? A No, sir.
Q How long did you ever reside in any other country outside of the Cherokee Nation at one particular place? Q Well, I couldn't tell you, that would be hard for me to say.
Q Well, I don't want the exact dates. A I was railroading, and as a matter of course I was from here to Denison, but I was longer in Denison on account of my going into the machine shops when I quit the railroad.
Q In Denison? A Yes, sir.
Q You never acquired a right to exercise the right of citizenship of any other country? A No, sir.
Q Is there anything else that you wish to state? A Why I believe not.

MR. HASTINGS: Are you married? A Yes, sir.
Q Where were you married? A I was married to my first wife in Texas.
Q Have you any children by her? A Yes, sir.
Q How many? A Two.
Q Where were they born? A They were born in Texas.
Q Where were you married the second time? A Here in the Cherokee Nation.
Q Where did your first wife die? A She died in Tahlequah.
Q When? A Died, let me see, was in 1896, in the fall of 1896.
Q After you come back here? A Yes, sir.

Q You married your first wife and your first two children were born in Texas? (No response.)

MR. BENCH: You never made application for admission? A No, sir.

Q You have participated and been recognized since your return as a citizen of the Cherokee Nation? A Yes, sir.

Q Participated in the payments? A Yes, sir.

Q I believe you appear on the 1896 roll all right? A Yes, sir.

The attorney for the applicant and the representatives of the Cherokee Nation present submit the case; the same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

The attorney for the applicant requests and will be granted ten days in which to file a brief in the case, one copy with the Commission and one copy with the representatives of the Cherokee Nation.

I, Arthur S. Croninger, ~~stenographer~~, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

Arthur S. Croninger

DEPARTMENT OF THE INTERIOR

BEFRE THE COMISSION TO THE FIVE CIVILIZED TRIBES,

AT Muscogee I. T. March 25" 1902

In the matter of the application of Ephriam Thorne, for the enrolement himself and his three children, as citizens of the cherokee nation by virtue of cherokee blood, and the right thereto.

"D 1894"

The contention of the applicant in this case is, That he is a cherokee citizen by blood, That his name does not appear on the roll of 1880, Because he was temporary out of the country, infact during the time he was out, he was rail Roading, That he was employed by the M, K, & T, R, R Company, about the year of 1880, when the road was being built from Muscogee to Texas, That he remained in the employ up to the year of 1890, when he moved back in to the cherokee nation, in 1895, then with his wife and ~~three~~ two children, That his wife soon died after returnig to the nation, That he married a second white woman, That by them one child was born, That his second wife soon died after their said child was born. That in no act of his did he leave the nation as contemplated by the constitution, as affecting his right to citizenship in the cherokee nation, That he became a citizen of no other country, That he taken no effects out of the country, but went to follow the vocation of rail roading, and by thus being employed, he subjected himself to such work as to requirer the traveling over a distence of over several hundred miles, by the order of his employer, That when he did return the authorities of the nation recieved him as if he had never been out at such work, That soon after his return in 1895, that he and his two children was paid their share of the payment of 1894, by an act of the national council, which act recognized the fact that his rights was not affectd by his absence from the nation, And again by authority of the cherokee nation, his name appears on the 1896, roll, with his two children, That he has ever enjoyed the franchises of citizenship of said nation, That if his rights to citizenship was not affected by his aosence aforesaid, Then he and his two children are entitled to be listed for enrolement by the honorable Comission, as cherokee citizens thereof.

Respectfully submitted.

Geo. Berry

Attorney for Applicants.

Muskogee OK 3/20/07

Received from the Commission to the Five Civilized Tribes a copy of the testimony in the matter of the application of Ephraim Stone et al

for enrollment as citizens of the Cherokee Nation.

Cherokee Land Office

Cherokee Nation No. 21 [illegible]

Cherokee D 1094

S. B. 25

An act making appropriation for the benefit of the persons omitted in the payment of the strip funds and found to be entitled by the revising committee of Tahlequah District.

Be it enacted by the National Council: That the sum of two hundred and sixty-five dollars and seventy cents be and the same is hereby appropriated for the benefit of the following named persons herein out of any moneys having accrued from the sale of the lands west of the Arkansas River or any other money in the Treasurer belonging to the General Fund not otherwise appropriated and the Treasurer is hereby authorized to pay suh persons on the warrant of the Principal Chief who is hereby directed to issue preferred warrants in favor of such persons to the amount of each, to-wit:.....

Ephrain Thorn	$265.70
Wm. R. Thorn	265.70
Luella Thorn	265.70

Passed the Senate Nov. 26th 1894

J. C. Starr
Clk of Senate Protem.

Isaac Jacobs
President of Senate Protem.

Concurred in by the Couicil Nov. 26th 1894.

J. H. Dick
Clk of Council

V. Gray
Speaker of Council Protem.

Approved Nov. 27th 1894.

C. J. Harris
Principal Chief.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original in the matter of the application for the enrollment of Ephraim, William R. and Luella Thorn as citizens of the Cherokee Nation, so far as it relates to Ephraim Thorn, William R. Thorn and Luella Thorn.

Muskogee, Indian Territory, June 21,1902. Roy Palmer

D 1094

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)ss NO.104.
NORTHERN DISTRICT.)

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGE---GREETING.
YOU ARE HEREBY COMMANDED to Solemnize the Rite and publish the Banns of Matrimony between Mr. Ephraim Thorne of Wagoner, in the Indian Territory, aged 47 years, and Miss Sallie McPherson, of Wagoner, in the Indian Territory, aged 28 years, according to law and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Tahlequah, this 14th day of August A. D. 1897.

James A. Winston,
Clerk of the U. S. Court.

By H. W. C. Shelton, Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)ss.
NORTHERN DISTRICT.)

I John M. Davis, a Minister, DO HEREBY CERTIFY, that on the 22 day of August A. D. 1897, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 22 day of August, A. D.1897.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District, Book, Muscogee "B" Page----.

John M. Davis,
A Minister.

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,)ss
NORTHERN DISTRICT.)

I, James A. Winston, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 14 day of Sept. 1897 at ---M., and duly recorded in Book "F" Marriage Record, Page 88.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 25 day of Sept.A.D. 1897.

James A. Winston, Clerk.

I, Roy Palmer, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and complete copy of the original.

Roy Palmer

D 1094

STATE OF TEXAS,
COUNTY OF GRAYSON.

MARRIAGE LICENSE.

To any judge of the District Court, Judge of the County Court, Ordained Minister or Justice of the Peace of Grayson County, Greeting

YOU ARE HEREBY AUTHORIZED TO CELEBRATE THE RITES OF MATRIMONY between Ephraim Thorne and Carrie Manley and make due return to the Clerk of said Court within sixty days thereafter, certifying your action under this License.

WITNESS my official signature and seal this 8th day of December 1883.

G. D. Dickerman, Clerk.

I, E. W. Holeman certify that on the 10th day of December, 1883, I united in Marriage Ephraim Thorne and Carrie Manley the parties above named.

WITNESS my hand this 12th day of December, 1883.

E. W. Holeman. M.G.

THE STATE OF TEXAS)
COUNTY OF GRAYSON)

I, P. F. Ellis, Clerk of the County Court in and for said County and State, do hereby certify that the foregoing page contains a correct and true copy from the record of my office of the Marriage License and Certificate of Marriage of Ephraim Thorne and Carrie Manley.

To certify which, Witness my hand and seal of office this 25th day of February A. D. 1901.

P. F. Ellis, Clerk Co. Court.
By G. A. Dickerman, Deputy.

I, Roy Palmer as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and complete copy of the original.

Roy Palmer

C. D. 1094.

Ephriam Thorn et al.

Brief on part of the

Cherokee Nation.

DE P A R TM E N T O F THE I N T E R I O R.

Commission to the Five Civilized Tribes

Muskogee I. T/ June 10th 1902.

In the matter of the application of Ephriam Thorn et al for enrollment as citizens of the Cherokee Nation.

Brief on part of the Cherokee Nation.

The applicant Ephriam Thorn appliesfor the enrollment of himself and two Children as citizens of the Cherokee nation by blood; he contends that he is a Cherokee by blood that he was born and reared in the Cherokee Nation and that he left the Cherokee Nation about the year 1880 followin a railroad to the State of Texas where he was married and where he resided until after two children were born; he returned to the Cherokee Nation with his family about the year 1893.

There is no evidence except the statement of the applicant himself that he was ever recognizdd as a citizen of the Cherokee Nation. The evidence shows however, that he was married to his first wife on the 8th day of December 1883 in Grayson County, Texas,; the evidence further shows that his first child was born in 1888 in Texas and his second child was born in 1891 in Texas hence instead of spending mostof his time railroading on his way to Denison Texas we find the applicant a continuous resident of the State of Texas at least from 1883 until 1893, a period of ten years. His name does not appear upon the roll of eighteen hundred and eighty, which we contend was the only roll made by the Cherokee Nation in as much as the Census roll of 1896 was never completed confirmed or legalized by the Cherokee National Council but was a roll in course of preparation but in as much as never purged of the names not entitled to be thereon and in as much as the National Council refused to authenticate it it was certainly not considered b y the Cherokee Nation as a roll of the Cherokee Nation and therefore it has no binding force upon the Cherokee nation.

We further contend that the act of Congress which governs this Com-

mission confirmed the roll of eighteen hundred and eighty and that it was the intention of the said act of Congress to make this a basis or starting point and that when the name of any applicant did not appear upon said roll that was old enough for his name to appear thereon that it was necessary for him to be readmitted to citizenship subsequent to that time in order to be entitled to enrollment by the Commission at this time and in as much as the name of the applicant does not appear upon this roll and in as much as he was not readmitted subsequent to that time and in as much as there is no evidence except his own as to his previous Cherokee Citizenship and his Cherokee blood and in as much as by his own admission in the record of the testimony in this case that he was a resident of the State of Texas for a period of ten years we do not believe that under the law he is entitled to be enrolled as a citizen of the Cherokee Nation at this time.

Respectfully submitted,

W W Hastings OCS

J. C. S. Attorney for the Cherokee Nation.

Cherokee D 1094.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ephraim Thorne and his three minor children, William R., Louella and James W. Thorne, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on February 12,1901, Ephraim Thorne appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment of himself and his three minor children, William R., Louella and James W. Thorne, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 19,1902.

The evidence shows that the said Ephraim Thorne is a Cherokee by blood; that he was lawfully married on December 10,1883, to Carrie Manly, a white woman; that the two minor children, William R., and Louella Thorne, are the issue of that marriage, and that the said Ephraim, William R., and Louella Thorne were recognized as citizens of the Cherokee Nation in an Act of the National Council, approved November 27,1894. The said Ephraim, William R. and Louella Thorne are identified on the Cherokee census roll of 1896 as Cherokees by blood.

It further appears that the said Carrie Thorne died about the year 1895; that on August 22,1897, the said Ephraim Thorne was lawfully married to Sallie McPherson, a white woman, and that the child, James W. Thorne, is the issue of that marriage. The said James W. Thorne is too young to be upon any tribal roll of the Cherokee Nation, but he is identified by a birth affidavit on file with this Commission.

It further appears that the said Ephraim Thorne was born in the Cherokee Nation, and resided therein until 1880; that from 1880 to 1890, he was engaged in railroading from Muskogee, Indian Territory to Denison, Texas; that since 1890 he and the children herein applied for have resided continuously in the Cherokee Nation, and that they were residents of said nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Ephraim Thorne, William R. Thorne, Louella Thorne and James W. Thorne should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one, of the Act of Congress, approved June 28,1898 (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

Roll 2764 .. Card 82

IN RE

THE DEATH OF

Ephraim Thorne

a citizen of the

Chero Kee Nation.

Approved March 1 1906

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES
FILED
Mar 1 1906
COMMISSIONER.

Roll 22069 32 Card 9822

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Ephraim Thorne
(Here insert name of deceased.)
a citizen of the Cherokee Nation, who formerly resided at or near
Wagoner (Here insert name of postoffice.), Ind. Ter., and died on the 22 day of
January, 1906

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA, INDIAN TERRITORY, } Western District.

I, Maggie Thorne on oath state that I am 29
years of age and a citizen, by Intermarriage, of the Cherokee Nation;
that my postoffice address is Wagoner (Here insert name of postoffice.) Ind. Ter.; that I am
Wife (State relationship: as the father, an uncle; a cousin, etc.) of Ephraim Thorne (Here insert name of deceased.)
who was a citizen, by Blood of the Cherokee Nation
and that said Ephraim Thorne (Here insert name of deceased.) died on the 22 day of
January, 1906.

WITNESSES TO MARK:

(Must Be Two Witnesses.) }

Mrs E Maggie Thorne

Subscribed and sworn to before me this 1 day of March, 1906

Chas E Webster
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, } Western District.

I, Charles Henson on oath state that I am 56
years of age, and a citizen by Blood of the Cherokee Nation;
that my postoffice address is Melvin (Here insert name of postoffice.), Ind. Ter.;
that I was personally acquainted with Ephraim Thorne (Here insert name of deceased.)
who was a citizen, by Blood of the Cherokee Nation;
and that said Ephraim Thorne (Here insert name of deceased.) died on the 22 day of
January, 1906.

WITNESSES TO MARK:

(Must Be Two Witnesses.) }

Charles his X Henson
Mark

Subscribed and sworn to before me this 1st day of March, 1906

Chas E Webster
Notary Public.

41

D1094

FILED
FEB 28 1902

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee D-1094

Muskogee, Indian Territory, February 28, 1902.

Mr. Ephraim Therne,

Wagoner, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and three minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 19 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Commissioner in Charge.

Acting Chairman.

Register.

COPY.

Cherokee D 1974.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Ephraim Thorne for the enrollment of himself and his three minor children, William R., Louella and James W. Thorne, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 118.

COPY.

S - 1004.

Muskogee, Indian Territory, October 24, 1902.

Ephraim Thorne,

Wagoner, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 30, 1902, granting your application for the enrollment of yourself and your three minor children, William H., Louella and James W. Thorne, as citizens, by blood, of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Acting Chairman.
Commissioner in Charge.

Enclosure C. No. 49.

Register.

COPY. D - 1894.

Muskogee, Indian Territory, October 24, 1902.

G. W. Bonge,
Attorney for Ephraim Thorne and others,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application for the enrollment of Ephraim Thorne and three children, William E., Lousilla and James W. Thorne, as citizens, by blood, of the Cherokee Nation.

Respectfully,

T. Brackinridge.
Acting Chairman.
Commissioner in Charge.

Enclosure C. No. 20.
Register.

COPY.

Muskogee, Indian Territory, August 8, 1906.

The Honorable,

The Secretary of the Interior,

Sir:

Referring to Departmental letters of May 21, 1906, (I.T.D. 6146-1906), June 1, 1906 (I.T.D. 6660-1906), October 4, 1905(I.T.D. 12226-1905), and January 18, 1906 (I.T.D. 110-1906), relative to striking from the approved roll of citizens of the Cherokee Nation the names of 226 persons who are shown to have died prior to September 1, 1902, there are inclosed herewith affidavits as to the death of certain of said persons. The number of the enrollment card on which these persons are listed, the number opposite which they appear on the approved partial roll of Cherokee citizens, and their names are as follows:

Cherokees by blood.

Card No.	Roll No.	Name.
1848	4083	Martha E. Jackson
2049	5056	Sidney T. Butterfield
2979	5393	Charley H. Williams
3134	5852	Lucinda Crow,
3141	5905	Willis R. Vinton
3240	6081	
3286	13426	Jesse W. Bennet
3329	14181	Annie Wallingford
3461	14181	James C. Bernhart
3481	13036	Agnis Johnson
3481	13041	Filmore Johnson
7351	17479	Ed Baldridge
7460	17643	Betsy Fuss
7552	20072	James T. Thorne

The Department's instructions of June 1, 1906 (I.T.D. 6240-1906), and October 4, 1906 (I.T.D. 12288-1906), as to the proceedings to be taken with reference to these persons have been complied with. Notice, under date of March 1, 1906, of the information received as to the date of the death of the above named persons, was given by publication for four consecutive issues in "The Cherokee Advocate" and "The Wagoner Record", both weekly newspapers of general circulation, the former published in the Cherokee Nation at Tahlequah, Indian Territory, and the latter published at Wagoner, Indian Territory, in the Recording District in which the above named persons are shown to have resided at the time of their death. The first issue of this publication in "The Cherokee Advocate" was on March 3, and the first issue in "The Wagoner Record" was on March 8, 1906. Attention was called to Section 21 of the Act of Congress approved July 1, 1902 (32 Stat., 716), and notice given to the heirs of the persons named, the administrators of their estates, or any other person having any interest in the estates of the deceased, that the Commissioner would at the expiration of sixty days from the date of the notice, recommend to the Secretary of the Interior the cancellation of the enrollment of said persons as citizens of the Cherokee Nation, unless conclusive evidence was presented to the effect that said persons were living on September 1, 1902.

In addition to this notice a letter was on May 1, 1906, addressed to each of the above named persons, or his heirs, at his last known post-office advising the information received, the law with reference to the making of the roll of citizens of the Cherokee Nation, and that unless conclusive evidence was presented within thirty days from date to the effect that the decedent was living September 1, 1902, the Commissioner would recommend to the Secretary of the Interior the cancellation of the enrollment of said person as a citizen of the Cherokee Nation.

No information having been received that any one of the above named persons was living September 1, 1902, it is respectfully recommended that their names be stricken from the approved partial rolls of citizens of the Cherokee Nation in the possession of the Department and the Commissioner of Indian Affairs; that this office be authorized to strike their names from the copies of the approved partial rolls in its possession, and that the applications for their enrollment as citizens of the Cherokee Nation be dismissed.

Respectfully,

Encl. W.i.w-3.

Commissioner.

Through the Commissioner
of Indian Affairs.

DEPARTMENT OF THE INTERIOR,

LAND
69313-1906.

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

C O P Y

August 23, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report from the Commissioner to the Five Civilized Tribes, dated August 9, 1906, forwarding affidavits as to the deaths of certain persons whose names appear on a partial roll of citizens and freedmen of the Cherokee Nation. Commissioner Bixby refers to departmental letter of May 31 (I.T.D.6186-1905), June 1, (I.T.D.6240-1905), October 4, (I.T.D.12228-1905), and January 12, (I.T.D.110-1906), relative to striking from the approved roll of citizens of the Cherokee Nation the names of 286 persons who are shown to have died prior to September 1, 1902.

Commissioner Bixby reports that the Department's instructions as to the proceedings to be taken with reference to these persons, have been complied with, and no information having been received that any of the persons enumerated in his report were living on September 1, 1902, he recommends that their names be stricken from the approved partial rolls of citizens

to strike their names from the copies of the approved partial rolls in his possession, and that the application for their enrollment as citizens of the Cherokee Nation be dismissed.

The affidavits have been examined in this Office, and are transmitted herewith, the Office concurring in the Commissioner's recommendation.

Very respectfully,

F. M. Leupp.

Commissioner.

GTC-LC..

DEPARTMENT OF THE INTERIOR,

ITD.14722-1906. WASHINGTON. FHE.

August 29, 1906.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

August 9, 1906, you forwarded affidavits as to the deaths of 13 persons whose names appear on the approved rolls of citizens of the Cherokee Nation, and recommended that their names be stricken from the approved rolls of citizens by blood of the Cherokee Nation in the possession of the Department and the Indian Office, and that you be authorized to strike their names from the copies of the approved rolls in your possession, you having complied with departmental instructions as to the proceedings to be taken with reference to these persons.

Reporting August 23, 1906, the Indian Office concurs in your recommendation. A copy of its letter is inclosed.

The Department also consurs, and you are authorized to strike the names of said persons from the approved roll in your possession, as follows:

Cherokees by blood.

Roll No.	Name.
4883	Martha E. Jackson
5386	Sigsby W. Battenfield
5393	Charley M. Williams
5532	Lucinda Crow

Cherokees by blood.

Roll No.	Name.
5555	Willis D. Winton
5811	Jesse W. Norman
12436	Annie Walkingstick
14101	James C. Merchant
15538	Aggie Johnson
15541	Filmore Johnson
17479	Eli Baldridge
17643	Betsy Pann
22072	James W. Thorne.

Respectfully,

(Signed) Jesse E. Wilson

Assistant Secretary.

1 inclosure.

Cherokee 9822

Muskogee, Indian Territory, September 26, 1906.

William R. Thorne,

Wagoner, Indian Territory.

Dear Sir:

In connection with the application for the enrollment as a citizen of the Cherokee Nation of your brother, James W. Thorne, who is shown to have died prior to September 1, 1902, you are advised that his name was stricken from the approved roll of citizens of the Cherokee Nation, and the application for his enrollment dismissed by the Secretary of the Interior August 29, 1906.

Respectfully,

Commissioner.

MVP

Muskogee, Indian Territory, December 3, 1906

Maggie Lee,

Wagoner, Indian Territory.

Dear Madam:

This office is in receipt of your letter of November 24, in which you state that Luella Thorne was born February 7, 1891.

In reply you are advised that the records of this office show that Luella Thorne, a daughter of Ephraim Thorne, whose name appears opposite No. 22071, on a partial roll of Cherokee citizens approved by the Secretary of the Interior, was nine years of age in 1902.

Respectfully,

L M B

Commissioner

Cher 9823

Clark W. Cumpton

Cher 9823

DEPARTMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 12 1901

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 13, 1901.

In the matter of the application of Clark W. Cumpton for enrollment as a Cherokee citizen; he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Clark W. Cumpton.
Q How old are you? A 23 years old.
Q What is your postoffice? A Muskogee.
Q Do you live in the Cherokee Nation? A Yes sir.
Q In what district do you live? A Canadian.
Q Who is it you want to have enrolled, just yourself? A Just myself.
Q Are you a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee Nation? A I have been here about twelve years, I guess.
Q Where were you born? A I was born in Georgia.
Q Was your father or mother admitted to citizenship by the Cherokee Commission or Council? A My father was, my mother is a white woman.
Q Give me the name of your father. A Charles Cumpton.
Q Is he alive? A No sir, he's dead.
Q Give me the name of your mother. A Emma.
Q Is she alive? A Yes sir.
Q Your father, you say was a Cherokee by blood, and your mother a white woman? A Yes sir.
Q When was your father admitted to citizenship? A I believe it was in '77.
Q Have you any evidence of his admission? A I've got a certificate.

The applicant presents an official certificate from the Executive office of the Cherokee Nation to the effect that the records of the citizenship Commission show that in the case of Charles Compton, judgment was rendered in his favor June 4th, 1879. This is filed herewith.

Q When did your father come to the Cherokee Nation? A In the year '77, I believe.
Q Did you come with him? A Yes sir.
Q Did he live here from the time he came here in '77 until he died? A Yes sir, he did.
Q You speak of being here only for twelve years? A After his death I went away again.
Q When did he die? A He died in the year of 1880 or '81; I wouldn't be positive.
Q You were quite young? A Yes sir.
Q Did your mother come with him when he came here in '77? A Yes sir.
Q How long did she stay here? A She staid until after his death, and then she left.
Q Then she took you back to Georgia? A Yes sir.
Q She continued to live in Georgia? A No, she lives here.
Q Did you come with her when you came back twelve years ago? A Yes sir.
Q Where is your mother living now? A In the Cherokee Nation.
Q Where about in the Cherokee Nation? A About four miles east of here.
Q Has your mother applied to us for enrollment? A I don't believe she has; she has married again.
Q What evidence have you of the marriage between your mother and your father? A (Hands papers to Commissioner)
Q What was your mother's name before her marriage to your father? A Kirkes.

Q That was her maiden name, was it? A Yes sir.
Q Was she ever married before she married your father? A No sir.
Q Was your father married before he married her? A No sir.
Q And they lived together from the time of their marriage until your father's death? A Yes sir.

The applicant presents a certificate signed by the Rev. A. Thornburgh, under date of January 9th, 1901, to the effect that on the 16th day of September, 1875, he united in marriage John Cumpton and Miss Emma T. Kirkes. This is filed herewith.

Q Where does this clergyman live now? A In Chattanooga, Tenn., I think.
Q He stated that he married your father and mother in Walker County, Georgia? A Yes sir.

The applicant also presents a letter under date of January 9th, 1901, signed by R. N. Dickinson, Clerk of Walker County, Georgia, and written from said county, to the effect that the records of that county were destroyed by fire in 1883. This is filed herewith.

The Cherokee census roll of 1896 examined and the name of the applicant is found on page 16, No. 439, as Clark Compton, in Canadian district.

Q You say your father died in about the year 1880? A Yes sir.
Q And that your mother took you back to Georgia? A Yes sir.
Q Have you anyone here who was acquainted with your father and mother while they were in the Cherokee Nation? A I don't know. I suppose Judge Lowrey was.
Q Is he here? A No sir, he's not here.

Commissioner Breckinridge:

The applicant has filed official evidence of the admission of his father to Cherokee citizenship by the Cherokee Commission on citizenship in 1879. He states that his father and mother came to the Cherokee Nation from Georgia in 1877, and there lived until his father died about 1880, after which his mother returned with him, an infant at that time, to the State of Georgia; that he returned to the Cherokee Nation some twelve years ago while still in his minority, and he has lived here ever since. He is identified on the roll of 1896. He files a certificate of marriage from the clergyman who is alleged to have married his father and mother, and a letter from the Clerk of Walker county, Georgia, to the effect that the marriage records of that county have been destroyed by fire. He states that neither his father or mother were married previous to the marriage between them. The applicant will now be listed for enrollment as a Cherokee by blood, but to await some personal testimony, identifying him more definitely as the child of his alleged father and mother, and to the effect that they were known in the Cherokee Nation as husband and wife, he will for the present be placed upon a doubtful card.

E.C. Chamberlain, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. C. Chamberlain

Subscribed and sworn to before me this 13th day of February, 1901.

Commissioner.

DEPARTMENT OF THE INT
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 1[illegible] 190[illegible]

Statement of Applicant Taken Under Oath. Cam.

CHEROKEES BY BLOOD AND ADOPTION.

(23) Date Feb. 13 1900

Name Clark H. Crumpton Muscogee I.T.

District Cam. Year 1896 Page 16 No. 439

Citizen by blood yes. Mother's citizenship Orailis Crumpton d.

Intermarried citizen no. Emma " "

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

W. Ind. 96 Order as Clark Crumpton.

Per testimony as to his parentage & marriage of his father & mother to be supplied.

DEPAR
CONS
ES

This is to certify that on the 16 day of September 1875 I did perform the Holy Matrimonial Charles Crumpton to Miss Emma R Hinton, Com Wilkes Co, Ga, and as a result of that union there was born to them two children Viz: Clark & Lawrence, Legal heirs of Charles Crumpton.

This 2 day 1901

J. H. Greenbaugh L.M.E.

of the Gospel.

P.S. If you have a marriage certificate at the time, it was burned in Sargent Tennessee

DEPARTMENT OF THE
COMMISSION TO THE FIVE
FILED
FEB 1
1903



OFFICE OF

Clerk Superior Court

WALKER COUNTY

LAFAYETTE, GA. June 5 1907

Mr. [illegible]

Dear Sir

Your [illegible]
[illegible] the records of Walker County were
destroyed [illegible] 1883. [illegible]
If your daughters marriage [illegible]
[illegible] in 1885 - [illegible]
[illegible] 1883.

You will have to make proof [illegible]
by the Minister who married them or by
[illegible] Witness at the wedding.
[illegible] of Marriages may [illegible]
Ordinarys Office & the marriage Licence was
issued by him probably [illegible]
remember issuing the Licence as he was
Ordinary at the Time. but the best proof
by the Minister attending.

Yours Truly

N. A. Richardson

Witness

DEPARTMENT OF [illegible]
COMMISSION TO THE [illegible] STATES
FILED
FEB [illegible]

B. W. Albert

SUPPLEMENTAL-TESTIMONY.

CARD No. 1096.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., FEBUARY 19th, 1901.

IN THE MATTER OF THE ENROLLMENT OF Clark Cumpton as a citizen of the Cherokee Nation - Card #1096.
HENRY C. Lowry, being sworn and examined by Commissioner, T. B. Needles testified as follows:

Q What is your name? A Henry C. Lowry.
Q What is your age? A Fifty two.
Q What is your Postoffice? A Muskogee.
Q Do you know Clark Cumpton? ? A Yes, sir.
Q Do you know his father? A I did know him.
Q What was his name? A Charlie.
Q Do you know his mother? A Yes, sir.
Q What is her name? A Mary.
Q Do you know whether they were ever married or not? A No, sir.
Q Do you know whether they lived together as husband and wife? A Yes, sir.
Q For how long? A I don't remember how long; a short time.
Q You say a short time? A Yes, sir. They were married when they came here.
Q Did you know them until the death of either of them? A Yes, sir.
Q Is his father or mother dead? A Yes, sir.
Q Which one? A His father is dead.
Q You knew them until his death? A Yes, sir.
Q Did they live together until his death? A No, sir.
Q They separated before? A Yes, sir.
Q Do you know Clark W. Cumpton is the child of Charles and Mary Cumpton? A Only what they claim.
Q So reported in the neighborhood? A Yes, sir; his father stayed with me before the mother came out.
Q They separated, did they? A Yes, sir.
Q Is Charles Cumpton living? A No, sir; he is dead.
Q Is Mary Cumpton, his mother, living? A Yes, sir.
Q What is his mother's name now? A Montgomery.
Q Was Clark born before you knew his father and mother? A Yes, sir; they came here with the Hayes family and were readmitted some time in the eighties.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete ~~transcript~~ transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 20th day of Febuary, 1901.

COMMISSIONER.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Okla., February [illegible], 1902.

S U P P L E M E N T A L testimony to be filed in cases, D-212 and D-1098

EMILY MONTGOMERY being called and sworn as a witness, before Commissioner T. B. Needles, testified as follows-

Q What is your name? A. Emily Montgomery.
Q What is your age? A. 47.
Q What is your post office address? A. Muskogee.
Q Are you a recognized citizen of the Cherokee Nation? A. Yes sir.
Q Do you know Clark W. Cumpton? A. Yes sir.
Q What relation is he to you? A. He is my son.
Q What is his father's name? A. Charles Cumpton
Q Is Charles Cumpton living? A. No sir.
Q Were you ever married to Charles Cumpton? A. Yes sir.
Q Was he your first ~~xxfxxxxxxxxxxxxx~~ husband? A. Yes sir.
Q Were y u his first wife? A. Yes sir.
Q Where were you married to him? A. In Walker County, Georgia.
Q When did you remove from there to the Cherokee Nation? A. In 1877.
He came out in 1877, we came out in 1878; this boy was born in 1877.
Q Where? A. In Georgia
Q Have you lived in the Cherokee Nation ever since then? A. No sir went back once.
Q Did you live with Charles Cumpton until his death? A. No sir.
Q Were you seperat d from him? A. Yes sir.
Q Have a legal divorce? A. Never was divorced.
Q You say that you were legally married to Mr. Cumpton? A. Yes sir

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. February, 33rd, 1901.

S U P P L E M E N T A L testimony to be filed in cases, D-212 and D-1088

EMILY MONTGOMERY being called and sworn as a witness, before Commissioner T. B. Needles, testified as follows-

Q What is your name? A. Emily Montgomery.
Q What is your age? A. 47.
Q What is your post office address? A. Muskogee.
Q Are you a recognized citizen of the Cherokee Nation? A. Yes sir.
Q Do you know Clark W. Cumpton? A. Yes sir.
Q What relation is he to you? A. He is my son.
Q What is his father's name? A. Charles Cumpton
Q Is Charles Cumpton living? A. No sir.
Q Were you ever married to Charles Cumpton? A. Yes sir.
Q Was he your first husband? A. Yes sir.
Q Were you his first wife? A. Yes sir.
Q Where were you married to him? A. In Walker Couhty, Georgia.
Q When did you remeave from there to the Cherokee Nation? A. In 1877. He came out in 1877, we came out in 1878; this boy was born in 1877.
Q Where? A. In Georgia
Q Have you lived in the Cherokee Nation ever since then? A. No sir went back ones.
Q Did you live with Charles Cumpton until his death? A. No sir.
Q Were you seperated from him? A. Yes sir.
Q Have a legal divorce? A. Never was divorced.
Q You say that you were legally married to Mr. Cumpton? A. Yes sir I have a certificate of marriage. My marriage license was bumped up.
Q Did you live with Mr. Cumpton after he moved to this Territory? A Yes sir.
Q How long? A. Nearly two years.

+ + + + + + + + + + + + + + + + + +

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Subscribed and sworn to before me this the 23rd of February, 1901.

Commissioner.

"R"

Cherokee D-1096.

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 20, 1912.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Clark W. Compton for enrollment as a Cherokee citizen.

Appearances:
Applicant in person;
W. W. Hastings, attorney for the Cherokee Nation.

CLARK W. COMPTON, being sworn and examined, testified as follows by Commissioner Breckinridge:

Q What is your name? A Clark W. Compton.
Q Where do you live? A Cherokee Nation.
Q What is your post-office address? A Muskogee.
Q You are an applicant before the Commission for enrollment are you? A Yes sir.
Q Do you submit your case to the Commission for final consideration? A Yes sir.

C. C. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

C. C. Green

Subscribed and sworn to before me this February 21, 1912.

"R"

Cherokee D-1096.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., February 20,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Clark W. Cumpton for enrollment as a Cherokee citizen.

Appearances:
Applicant in person;
W.W.Hastings, attorney for the Cherokee Nation.

CLARK W. CUMPTON, being sworn and examined, testified as follows
BY COMMISSION:

Q What is your name? A Clark W. Cumpton.
Q Where do you live? A Cherokee Nation.
Q Whatis your post-office address? A Muskogee.
Q You are an applicant before the Commission for enrollment are you? A Yes sir.
Q Do you submit your case to the Commission for final consideration? A Yes sir.

M.D.Green,being first duly sworn,states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in thiscase and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this February 21,1902.

Commissioner.

Cherokee-D- 1096

EXECUTIVE OFFICE, CHEROKEE NATION.

Tahlequah, I. T.

I, B. . Alberty hereby certify that the Citizenship records filed in this office show that Charles Compton's name is entered on the Docket of the Citizenship Commission and that "judgement rendered in favor of claimant June 4" 1879." this record or docket is filed in this office and is in my custody.

(SEAL) Given under my hand and the seal of the Cherokee Nation this the 15th day of September 1900.

B. T. Alberty,

Assistant Executive Secretary,

Cherokee Nation.

I, the undersigned stenographer to the Commission to t the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Clark W. Cumpton as a citizen of the Cherokee Nation.

Muskogee, Indian Territory,

June 5, 1902.

W. W. Kenfield

Cherokee -D- 1096

This is to certify that on the 16 day of September 1875 that I joined in Holy Matrimony Charles Cumpton to Miss Emmer P. Kirkes in Walker Co., Ga. and as a result of that union there was born to them two children, vis: Clark & Charles Compton.

This Jan 9, 1901

Dr. A. Thornbrough, L. M. of the Gosppl P. E. If I gave a marriage certificate at the time it was burned in Lafayette aft rwards.

CLERK SUPERIOR COURT, WALKER COUNTY

Lafayette Ga. Jany 9" 1901.

Mr. J. W. Kirkes,

Cassandra, Ga.

Dear Sir: Yours just received. All the records of this County were destroyed Feby 2nd, 1883, and the record of your daughter's marriage to Mr. Cumpton in 1875 was destroyed when the Court House was burned in 1883.

You will now to make proof of the marriage by the minister who married them or by the attending witnesses at the wedding. The records of marriages are kept in the Ordinary's office & the marriage license are issued by him. Probably Capt. Russell will remember issuing the license as he was ordinary at that time, but the best proof now is the minister or attending witnesses.

Yours truly,
N. N. Dickerson.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing are true and correct copies of the original offered in evidence in the matter of the application for enrollment of Clark C. Cumpton as citizen of the Cherokee Nation.

Muskogee, Indian Territory,
June 4, 1902.

W. E. Keefauver

Cherokee D 1096.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Clark W. Cumpton as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on February 13,1901, Clark W. Cumpton appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on February 19,1901; on February 23,1901, and on February 20, 1902.

The evidence shows that the said Clark W. Cumpton is a Cherokee by blood, and that he is the son of Charles Cumpton who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on June 3,1879; and that the said Clark W. Cumpton was a minor at that time. The said Clark W. Cumpton is identified on the 1896 census roll of the Cherokee Nation.

The evidence further shows that the said Clark W. Cumpton came to the Cherokee Nation with his father and mother about 1879; that his mother then took him to the State of Georgia where he remained until about the year 1889, when he returned to the Cherokee Nation, and has continuously resided therein since that time.

It is, therefore, the opinion of this Commission that Clark W. Cumpton should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

Y

Cherokee D 1096.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Clark W. Cumpton for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. C. No. 113.

COPY.

D - 1096.

Muskogee, Indian Territory, October 24, 1902.

Clark W. Cumpton,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enclosure C. No. 46.

Register.

Cher 9824

Crecie L. Hunter

Cher 9824

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., FEBRUARY 13th, 1901.

In the matter of the application of Crecie Louisa Hunter for enrollment as a citizen of the Cherokee Nation; said Hunter being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name A Crecie Louisa Hunter.
Q How old are you? A I was 25 years old the 26th of this month.
Q What is your post office? A Howe, Choctaw Nation.
Q You are living in the Choctaw Nation now, are you? A Yes, sir.
Q You are a Cherokee are you? A Yes, sir.
Q Who is it you want to apply for, just yourself? A Yes, sir.
Q You have no family? A Yes, sir.
Q What family? A My family is my mother and sister and brother.
Q I am talking about who you are going to apply for? A I am going to apply just for my own self.
Q You claim to be a Cherokee by blood do you? A Yes, sir.
Q How long have you lived in the Choctaw Nation? A I have lived in the Choctaw Nation going on four years.
Q Where did you live before that? A I lived up here in Cooweescoowee district.
Q You lived all your life in the Cherokee Nation, have you? A No, sir, I was born and raised in the Southern part of Texas and then we come from there to the Cherokee Nation.
Q When? A As nigh as I can remember in the year '94.
Q You came from Texas in 1894? A Yes, sir.
Q You had lived all your life before that in Texas? A Yes, sir; I was born and raised in Texas.
Q And then you lived in the Cherokee Nation from 1894 until about four years ago you went to the Choctaw Nation and lived there ever since? A Yes, sir.
Q Now, give me the name of your father? A Willie Askins.
Q Is he dead? A No, sir.
Q Give me the name of your mother? A M. L. Shirley.
Q M. L. Askins, she was your father's wife? A Yes, sir; the reason I give her name in as that, she and my pa parted and she has married again.
Q What is her name? A Shirley.
Q Were your people admitted to citizenship by the Cherokee Council of Commission on citizenship? A Yes, sir.
Q Have you any proof of that? A The only proof I have that is when we was registered; we was registered by my grandfather, he registered us.
Q What is the "L" in your mother's name for? A Lucinda, Mary Lucinda.
Q Is she a Cherokee by blood? A Yes, sir.
Q What is your father? A He is a white man.
Q You call yourself Crecie? A Yes sir.
Q Is that your full name or is it Lucretia? A My grandfather when he writes my name he called it Lucretia, but I write it Crecie Louisa.
Q Your correct name is Lucretia? A Yes, sir, but I always write it Crecie.
Q You haven't a certificate of your readmission, or your mothers readmission to citizenship? A No, sir.
Q Have you any sisters? A Yes, sir, I have one.
Q What is her name? A Her name is Alice.
Q I see here a Lucinda Akin and Lucretia and Alice were readmitted to citizenship by the Cherokee Council December, 7th, 1889; that is your father is it? A Yes, sir.
Q And that Lucretia there must be you? A Yes, sir, that is me.

Q When did you say you came from Texas, in 1894? A Yes, sir.
Q What time in 1894? A It was about the 25th of April when we come.

Com'r Breckinridge:--The printed list of admitted and readmitted citizens of the Cherokee Nation in possession of the Cherokee representatives present shows that on the 7th day of December, 1889, Lecretia Askin with other members of the family identified as such, was readmitted to citizenship by the Cherokee Council.

Q Now you have married? A Yes, sir.
Q What is the name of your husband? A John Hunter.
Q When did you marry him? A '96.
Q What time in 1896? A Seventh of May.
Q Have you a certificate of your marriage? A No, sir, I haven't got it, but he's got it.
Q Where is he? A He is not here; me and him have separated and when I left from where he was up there he had it and I ain't got it since.
Q Is he a Cherokee or white man? A White man.
Q Did he leave you or you leave him? A No, sir, he left me.
Q Have you ever got a divorce from him? A No, sir.
Q Did he go away and leave you on the place where you and he were living? A Yes, sir.
Q Where is he now, do you know? A The last time I heard of him he was sent to the Pen and come back from there and married and has gone to Oklahoma now.
Q About how long wasit after you and he separated until he was sent to what you call the "Pen?" A About six or seven months. He stold some cattle and was sent to the Pentitiary.
Q Where was that? A Up in Michigan.
Q You say he is out of the Pen now? A Yes, sir.
Q How long after you and he were married until you separated? A About a year
Q A d about six or seven months after you separated he was sent to the Penitentiary? A Yes, sir.
Q He just went off and left you did he? A Yes, sir, he would not stay with me at all his people did not care very much for me and him to marry, and they tried every way to bust us up and they busted us up at last, and he went off and got into trouble, and he stayed here in jail a good while, and he was out on bond and stole some cattle and was sent to the pen.
Q And never came back and lived with you? A No, sir.
Q Is there anybody here that knows you and this man were married?
A Yes, sir, my grand pa knows it.
Q What is his name? A Mulkey.

LOUIS A. MULKEY, being sworn and examined by Commissioner, Breckinridge, testified as follows:
Q Give me your full name? A Louis A. Mulkey.
Q How old are you? A Eight seven.
Q What is your Postoffice?A Bennett.
Q How long have you lived in the Cherokee Nation? A About twelve years.
Q Do you know this applicant here, Crecie Hunter? A Yes, sir.
Q What kin is she to you? A My grand daughter.
Q She has been married, has she? A Yes, sir.
Q Give me the name of the man she married?A John Hunter.
Q What was her name before she married Hunter? A Lucretia Askin.
Q Is she a daughter of Lucinda Askin, that was?A Yes, sir.
Q And Lucinda Shirley she is now; is that right?A I suppose so.
Q Do you know whether she is the daughter of that woman or not?

What is the name of this woman's mother? A Lucinda Askin.
Q Well she has married again has not she? A I understood she was; I don't know that she has, only what they tell me.

1896 Census roll of citizens of the Cherokee Nation examined and applicant's name found thereon, page 184, #2464, as Lucretia Hunter, Coowescoowee district.

CHECIE LOUISA HUNTER, the Applicant, re-called; testified as follows:

Q How did you happen to be living in the ~~Cherok~~ Choctaw Nation?
A Well when I went from down here I was with my Pa and he could not make a living and we went where we could make a living and try to support me.
Q Are you living with your father now? A Yes, sir.
Q And he is living in the Choctaw Nation on? A Yes, sir.

Com'r Breckinridge:--The applicant is shown by the printed list in the possession of the Cherokee representatives present to have been admitted to citizenship in the Cherokee Nation in 1889. She states that she came with her mother to the Cherokee Nation from the State of Texas in 1894, she being still a minor. She has lived in the Cherokee Nation from 1894 to some four years ago when she moved to the Choctaw Nation where she has since lived. She is identified on the roll of 1896 and her change of name arising from marriage is established by her own and her grandfather's testimony, which is considered satisfactory. She is desired to supply the Commission with official copy of the record of the Cherokee Nation, attesting the Act of Council admitting her by the unofficial record cited. To await this document and for the consideration of any question that may exist in connection with her residence in the Choctaw Nation, she will now be listed for enrollment as a Cherokee by blood upon a doubtful card and the final decision of the Commission will be made known to her at her post office address.

---oooOOOooo---

J. O. Bosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 14th day of February, 1901.

Commissioner.

DEPARTMENT OF THE I
COMMISSION TO THE FIVE CIVILI BES
FILED
FEB 13 1901

Statement of Applicant Taken Under Oath

CHEROKEES BY BLOOD AND ADOPTION.

Date Feb. 13, 1900

Name Homer G. S.

District Year Page No.

Citizen by blood Mother citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

(25) Wife's name Ollie E. Hunter

District Year 1896 Page 184 No. 2464

Citizen by blood ~~Mother citizenship~~

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Two 1st ~~at~~ with Secretary Winter
Ap. 1 to Cherokee for certified copy
Act of Feb. 1900

Supl.-C.D.#1098.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 19, 1902.

SUPPLEMENTAL in the matter of the enrollment of CRECIE L. HUNTER as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 28, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 19th day of March, 1902, and that she could on said date appear before the Commission either in person or by attorney when an opportunity would be given her to introduce any further testimony affecting her application. The applicant having this day to wit: the 19th day of March, 1902, been called and failing to respond either in person or by attorney, the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

Supl.-C.D.#1098.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 19, 1902.

SUPPLEMENTAL in the matter of the enrollment of CRECIE L. HUNTER as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 28, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 19th day of March, 1902, and that she could on said date appear before the Commission either in person or by attorney when an opportunity would be given her to introduce any further testimony affecting her application. The applicant having this day to-wit: the 19th day of March, 1902, been called and failing to respond either in person or by attorney, the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, being first duly sworn, state upon my official oath as stenographer to the Commission to the Five Civilized Tribes, that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

Cherokee -D- 1568

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Grecie L. Hunter as a citizen by blood of the Cherokee Nation.

DECISION.

The records in this case show that on February 13, 1901, Grecie L. Hunter appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment of herself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 19, 1902.

The records of the Cherokee Nation in possession of this Commission show that Grecie L. Hunter was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on December 5, 1889, under the name of Lucretia Akin. The evidence shows that she removed to the Cherokee Nation in 1894, and remained in said nation until about the year 1897 when she removed to the Choctaw Nation, and has resided therein since that time.

The said Grecie L. Hunter is identified on the Cherokee Census Roll of 1896.

The evidence further shows that the said Grecie L. Hunter was a resident of the Choctaw nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Grecie L. Hunter should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

FILED
MAY 24 1905
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
AUXILIARY CHEROKEE LAND OFFICE.

Muskogee, Indian Territory, May 23, 1905.

In the matter of the application of Crecie L. Kidd, formerly Hunter, Cherokee citizen roll No. 22074, Field Card No. 9824, to select an allotment in the Cherokee Nation for herself.

Crecie L. Kidd, being first duly sworn, testified as follow

Examination by the Commission:

Q What is your name? A Crecie Louise Hunter, that L. is Louise.
Q Was Hunter your maiden name? A No sir, Austin, and then after we had busted up and got a divorce, still I went by the name of Hunter.
Q What was Hunter's first name? A Mohn.
Q When were you married? A 7th of May '96.
Q How long did you live together? A We lived together one year and eight months.
Q Have you been divorced? A Yes sir.
Q Have you that decree of the court with you? A Yes sir, but when we had come here - and I had come down here to file - well he wanted the paper so I just returned it to him.
Q Did the decree of the court restore you your maiden name? A Yes sir.
Q When was this decree given by the court? A Why it was given right after me and him - after we had separated.
Q About what date? A Well I don't know just exactly.
Q Do you remember what year? A It was '97.
Q What is your father's name? A My father is William Askren.
Q What is his postoffice address? A Last time I heard from him it was Dowe, Indian Territory, near South McAlester, but I don't know where it is now.
Q Did he ever get his mail at Howe? A Yes sir.
Q Did you after you were divorced from your first husband go back to live with your father? A Yes sir, I left my husband and lived with my father.
Q What is your present name? A It is Crecie Kidd.
Q What is your husband's name? A Munroe Kidd.
Q Is he a citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q When were you and Munroe Kidd married? A we's married 3rd of April.
Q What yar? A 1903 I guess.
Q Was it one or two years ago? A One year ago.
Q Then it was April 3rd, 1904? A Yes sir.
Q Are you and your present husband living together now? A Yes sir.
Q Have you ever before this time make application before a land office of the Commission to select an allotment for yourself in the Cherokee Nation? A No sir.
Q Is this the first time you have appeared at a land office? A Yes sir.

WITNESS EXCUSED.

Blanch Ashton upon oath states that as stenographer to the Commission to the Five Civilized Tribes she accurately recorded the testimony in the above entitled cause and that the foregoing is a correct transcript of her stenographic notes thereof.

Blanch Ashton

Sworn and subscribed to before me this 23rd day of May, 1905.

W. J. Hacker

Notary Public.

COMMISSION TO THE FIVE CIVILIZED TRIBES

HENRY L. DAWES
WM. BIXBY
THOMAS B. NEALE

Cherokee D-1098

Muskogee, Indian Territory, February 28, 1902.

Mrs. Grecie . . Unger,

Hope, Indian Territory,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 19 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certified copy of act admitting Lucretia Askin to Cherokee citizenship.

Yours truly,

Commissioner in Charge.

Acting Chairman.

Cherokee D 1098.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Crecie L. Hunter for the enrollment of herself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 114.

D - 1098.

Muskogee, Indian Territory, October 24, 1902.

Creecie L. Hunter,

Howe, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enclosure C. No. 47.

Register.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

Returned

Creola L. Hunter,
Howe, Indian Territory.

Cher 9825

John A. Cash

Trans. from D1015

Cher 9825

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, IT., FEBRUARY 19th, 1901.

In the matter of the application of John A. Cash for enrollment as a citizen of the Cherokee Nation; said Cash being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A John A. Cash.
Q What is your age? A 23.
Q What is your post office? A Muskogee, Indian Territory.
Q What district do you live in? A Canadian district.
Q Are you a recognized citizen of the Cherokee Nation? A I suppose so.
Q By blood? A Yes, sir.
Q What was your mother's name? A Mary Ann Cash.
Q Is she living? A No, sir.
Q What is your father's name? A Joseph.
Q Is he living A Yes, sir.

Tribal Rolls of the Cherokee Nation examined and applicant's name found thereon as follows:
1896 Census Roll; page 14, #407, John Cash, Canadian District.

Q How long have you been living in the Cherokee Nation, John?
A About ten years.
Q Where were you born? A Texas.
Q Did you live in Texas until yen years ago? A No, sir; I come here when I was about; I must to have been eight or ten years old.

JOSEPH P. CASH, being sworn and examined by Commissioner Needles testified as follows:

Q What is your name? A Joseph P. Cash.
Q What is your age? A Born in '51, makes '49.
Q What is your post office address? A Muskogee.
Q Do you know John A. Cash? A Yes, sir.
Q what ~~x~~ relation is he to you? A My son, supposed to be.
Q What was his mother's name? A Mary Ann Cash.
Q Is she a Cherokee citizen by blood? A Yes, sir.
Q Is she living? A No, sir.
How long has John A. Cash lived in the Cherokee Nation? A He was just a little small child at the time I was first here and his mother's health failed and we went to Texas and she died in Texas, and I suppose it has been a out ten years when he come back.
Q Where was he born? A He was born in Texas.
Q When did Mary Ann Cash ~~xxxx~~ die? A I could not tell you exactly; it has been 13 or 14 years.

Com'r Needles:--The applicant presents a certified copy of an Act readmitting Eliza Lane to citizenship approved on the 6th of December, 1879 by D. W. Bushyhead, Principal Chief. Said certificate certifies that among others that one Mary Ann Cash was readmitted to all the rights and privileges of Cherokee citizenship on said date. Said certificate being certified to by E. W. Alberty, Assistant Secretary of the Cherokee Nation, under the seal of the Cherokee Nation.

Q In the certificate you present I find the name of Mary Ann Cash was she the mother of John A. Cash? A Yes sir. She was his mother and Eliza Lane was her mother.
Q And the grand-mother of the applicant? A Yes, sir.
Q When did Mary Ann Cash, the mother of this child, John A. Cash, first come to the Cherokee Nation? A It was in '79.

Q They lived here at the time they were admitted? A Yes, sir.
Q How long did they live here before they moved away? A About two years.
Q This John A. Cash at that time was a minor? A Yes, he was probably two years old.
Q Where did Mary Ann Cash die? A She died in Texas.
Q Did she ever remove to the Cherokee Nation after she first went out? A No, she went out that time she never got back, her health failed her here.
Q This child, John A. Cash, lived with her in the State of Texas until about ten years ago? A Yes, sir; about ten, maybe eleven.
Q Has he been living here continuously since that time?
A Yes, sir.
Q What is his age? A He is about 23, he was born in '77 I think.
Q Is he married? A No, sir, but he has been away.

Com'r Needles:--The name of John A. Cash is found upon the census roll of 1896. For proof of his admission to citizenship see card D.#1038, case of Sam A. Cash, proof of citizenship being the same in the case of the applicant and of Sam A. Cash, his brother. Final judgment as to the enrollment of said John A. Cash will be suspended and his name will be placed upon a doubtful card/

---oooOOOooo---

J. O. Bosson, being first duly sworn, states that as stenographer to the Commission to the FiveCivilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 20th day of February, 1901.

Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB 19 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date FEB 19 1901 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAR 28 1902

Supl.-C.D.#115.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 19, 1902.

SUPPLEMENTAL in the matter of the enrollment of JOHN A. CASH as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 28, 1902, that his application for the enrollment of himself as a citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 19th day of March, 1902, and that on said date an opportunity would be given him to introduce any further testimony affecting his case. The applicant has this day, to-wit: the 19th of March, 1902, been called and fails to respond either in person or by attorney, and the case is deemed completed and will be reported to the commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the proceedings had this day in the above application and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson

Cherokee-D- 1038

An act reading Eliza Pane to Citizenship.

Be it enacted by the National Council: That Eliza Pane and her children, James Pope and Mary Ann Cash be and they are hereby readmitted to all the rights and priveleges of Cherokee Citizenship.

Tahlequah, C.N. (December 2 d 1879.

J. P Davis
President Senate

J. L. Princeton,
Clerk.

Concurred in By the Council December 4th 1879.
Ode Hair
Speaker Council.

D. B. Hicks,
Clerk Council.

Approved December 6th, 1879.
D. W. Bushyhead,
Principal Chief.

Executive Office, Cherokee Nation.

Tahlequah, Ind. Ter.

I, R. W. Alberty Assistant executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true and copy taken from the record of laws filed in this office and in my custody.

(SEAL) Given under my hand and the seal of the Cherokee Nation this the 30th day of January 1901.

R. W. Alberty
Assistant Executive Secretary,
Cherokee Nation.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for the enrollment of John A. Cash as a citizen of the Cherokee Nation.

Muskogee, Indian Territory,
June 9, 1902.

M. E. Kaufman

Cherokee-D-1115

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John A. Cash as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on February 19, 1901, John A. Cash appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment of himself as a citizen by blood of the Cherokee Nation.

The evidence shows that the said John A. Cash is the son of Mary Ann Cash, who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said nation on December 6, 1879, and that the said John A. Cash was a minor at that date.

The said John A. Cash is identified on the 1896 Census Roll of the Cherokee Nation.

The evidence further shows that the said John A. Cash has resided in the Cherokee Nation about ten years next before the application for his enrollment, and that he was a resident of said nation at the date of the application herein.

It is, therefore, the opinion of this Commission that John A. Cash should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES
JAMES JORDY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE
ALEX. M. ROBERTSON, SECY.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee D-1115

Muskogee, Indian Territory, February 28, 1902.

Mr. John A. Cash,

Muskogee, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 19 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application., that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Register.

Yours truly,

Commissioner in Charge.

Cherokee D 1115.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of John A. Cash for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 117.

COPY.

D - 1115.

Muskogee, Indian Territory, October 24, 1902.

John A. Cash,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen by blood, of the Cherokee Nation.

Respectfully,

T. Brachan

Acting Chairman.

Enclosure C. No. 44.

Register.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

Cher 9826

Sarah E. Quinton

Cher 9826

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., FEBRUARY 15th, 1901.

IN THE MATTER OF THE APPLICATION OF William B. Beck for the enrollment of Sarah Elizabeth Quinton as a citizen of the Cherokee Nation, and the said Beck

being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q Give me your full name? A William B. Beck.
Taken from William B. Beck's own application: fifty three years of age; Postoffice, Fawn; District, Canadian.

Q You want to apply for an orphan child in your care?
A Yes, sir.
Q Give me the name of the child? A Sarah Elizabeth Quinton.
Q How old is the child? A I will have to look on this paper; I will just get you to look; I have not got my glasses; she's about eleven years old; 1890 I think she was born.
Q The child is eleven years old? A Yes, sir.
Q The child is living with you, is it? A Yes, sir.
Q Give me the name of the father of this child? A Moses Quinton.
Q Is he dead or alive? A Dead.
Q Was he a Cherokee or white man? A Cherokee.
Q When did he die? A I just can't remember; he was killed up here about threeyears ago.
Q Did he live in the Cherokee nation all his life? A No, sir; he was admitted.
Q Admitted at some time? A Yes, sir.
Q Admitted before this child's birth? A Yes, sir.
Q Give me the name of the mother of this child?
A Becky I believe.
Q Becky Quinton? A Yes, sir.
Q Is she dead? A yes, sir.
Q Was she a Cherokee or white woman? A White woman.
Q When did she die? A I can't remember; she died when the child was very small; died some ten years ago.
Q Do you know anything about the marriage between Moses Quinton and this woman, Becky? A No, sir; only they were living together at the time of her death.
Q How old was Moses Quinton? A I don't remember; I suppose he is on the rolls here; I tried to find it and could not.
Q Do you know whether Mose Quinton was ever married before he married this woman, Becky? A No, sir; I think not; he came here when a boy and lived a neighbor to me.
Q If he were living now, would he be about your age?
A No, sir; between thirty and thirty five I think.
Q Do you remember when he married this woman Becky? A I can not give the date; I remember when they were married, but I did not see them married.
Q You knew Mose Quinton when he was a boy? A Yes, sir.
Q About how old? A About a year old.
Q Did you know him from that time until he died? A Yes, sir, the greater portion of that time.
Q Where was it you knew him in his childhood? A In Arkansas.
Q And when did he first come to the Cherokee Nation?
A I can't remember just the date, but I am satisfied he is on the '80 Roll.
Q You have been in the Cherokee Nation yourself some thirty years, have you not? A Yes, sir.
Q How old do you say Mose Quinton was when he came to the Cherokee Nation? A Probably twelve or fourteen years.
Q Now, did you know him all the time from the time he came to the Cherokee Nation, when you say he was eleven or twelve years old, until he died? A Yes, sir.
Q Did you live neighbors? A Not all the time.
Q Did you see him frequently during this period? A Yes, sir.

Q Did you ever hear of him having married or taken up with any woman before he lived with this woman Becky? A Never did.
Q Would you have been apt to have known? A I think I would.
Q How far was he living from you at the time he is stated to have married this woman? A About two miles.
Q You were not present at the marriage? A No, sir.
Q Who married them? A I don't recollect.
Q Did they have an entertainment? A I think not.
Q Do you know whether a preacher married them? A No, sir I don't.
Q How long did they live together as husband and wife; until she died? A Yes, sir.
Q They held each other out to the community there as husband and wife? A Yes, sir.
Q Now this woman Becky; how old would she be if she were living?
A She was some younger than Mose; between thirty and thirty five I think she must have been.
Q Were they married a year or two before the birth of this child
A Yes, sir.
Q Did you know this woman Becky before she married Mose Quinton?
A yes, sir.
Q How long had you known her before? A Not very long; about a year.
Q Did they live in your neighborhood? A Yes, sir.
Q How far from you? A About six miles; between four and six.
Q She was recognized in that neighborhood as a young unmarried woman? A She was.
Q As a maiden woman who had never been married? A Yes, sir.
Q That was her status in the community? A Yes, sir.
Q Has there ever been any question as to the legitimacy of this child? A None whatever that I ever heard of.
Q What is the name of Mose Quinton's mother, do you know?
A Lydia.
Q And his father? A Joseph.
Q I see in the printed list here of readmitted Cherokees, in the possession of the Cherokee Represenatives, where Joseph, Lydia and Mose Quinton were readmitted by the Cherokee Council November 21st, 1882: You recognize this as the family of Mose Quinton?
A I do; yes, sir.

Tribal Rolls of citizens of the Cherokee Nation examined and the name of Mose Quinton is found thereon as follows:
(1896 Census Roll, Page 235, #3845, Moses Quinton, Cooweescoowee District)

Q Who was this child living with four years ago; living with you?
A No, sir; I think she was living with a family named Montgomery.

By Mr. J. L. Baugh, Cherokee Representative:
Q Were they citizens? A No, sir; they were white folks; just transient people.
Q Where was the child four years ago? A I can't remember where she was.
Q When did you and your wife get control of the child?
A About three years ago.

Commissioner C. R. Breckinridge:
Q Very likely the child was with that transient family four years ago? A Yes, sir; I guess she was.
Q Do you know whether the child drew Cherokee strip money?
A No, sir; I do not.

1894 Cherokee Strip Payment Roll examined and the name of the child for whom application is made appears thereon as follows:

Page 697, #1737, Sarah E. Quinton, Goingsnake District.

SARAH ELIZABETH QUINTON.

---3---

Q Where was the child in 1894, do you know? A She must have been down in this country somewhere.
Q You do not know who she was living with? A I think she was living in '94 with a man and his wife named Riddle.

Upon an examination of the 1894 Pay Roll of the Cherokee Nation, the name of Mose Quinton appears thereon as follows:
Page 697, #1736, Moses Quinton, Goingsnake District.

By Mr. J. L. Baugh, Cherokee Representative:
Q Where was this child born at? A Born in Canadian District.
Q Near where you lived? A Yes, sir.
Q How long did these folks with the child stay there at that place? A At the place, not very long; he gave the child away; he gave it to a man named Riddle; first one would take it and then another.
Q Have you seen the child constantly? A Yes, sir; never longer than a year from the time it was a baby.
Q You know this child you make application for to be the same child, that belonged to Moses Quinton and his wife? A Yes, sir; I am satisfied.

Com'r. C. B. Breckinridge: The applicant applies for the enrollment of a minor child, Sarah E. Quinton, an orphan; this child is identified on the roll of 1894 with its father, but is not identified on the roll of 1896, which is explained by the evidence that the child was neglected and was probably at that time with a family with whom it lived a short while in the Creek Nation: The marriage between Moses Quinton, a Cherokee by blood to his white wife is and the legitimacy of the child is established in a satisfactory manner by the testimony of the applicant; and the printed list of readmitted Cherokees in the possession of the Cherokee Representatives present shows that the father of this child was readmitted to citizenship in 1882; he lived in the Cherokee Nation from the time he was about eleven years old until he died. No doubt being dekt about the legitimacy and residence of this child and the status of her paretns/ it is needed only that the Commission be supplied with an official copy of the Act of the Cherokee Council readmitting the father to citizenship; this the applicant is desired to procure and send to the Commission; awaiting that evidence, the child will be listed for enrollment as a Cherokee by blood upon a doubtful card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 15th day of February, A. D., 1901.

COMMISSIONERR.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
FEB 15 1901

Statement of Applicant Taken Under Oath. Ctw.

CHEROKEES BY BLOOD AND ADOPTION.

Date Feb 15, 1900.

Name Aaron L. J.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Childgen:

1 Sarah C. [illegible] Dist. [illegible] Year 1[illegible]4 Page 677 No 1737 Age 11

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

This enrolled for [illegible]
such [illegible] admitting [illegible]
No. 1 [illegible]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
MAR 1 1883
RECEIVED

An Act Readmitting Joseph Quinton, LYdia Quinton and Moses Quinton to Citizenship.

Be it enacted by the National Council:

That Joseph Quinton and family, wife, Lydia Quinton, son, Moses Quinton be and are hereby readmitted to all the rights and privileges of Cherokee Na. Citizens.

Nov. 15th 1882. John Sevier,

Speaker Council.

Clerk.

Concurred in by the Senate Nov. 16th 1882.

Roach Young,

D...nicks, Presi. Senate.

Clerk Senate.

Approved Nov. 21st 1882.

An Act Readmitting Joseph Quinton, LYdia Quinton and Moses Quinton to Citizenship.

Be it enacted by the National Council:

That Joseph Quinton and family, wife, Lydia Quinton, son, ,Mose Quinton be and are hereby readmitted to all the rights and priveleges of Cherokee Na. Citizens.

Nov. 15th 1882. John Sevier,
J.B.Mayes, Speaker of Council.
Clerk.

Conourred in by the Senate Nov.16th 1882.

Reach Young,
D.R.Hicks, Prest.Senate.
Clerk Senate.

Approved Nov.21st 1882.

D.W.Bushyhead,
Principal Chief.

Executive Office Cherokee Nation,
Tahlequah I.T.

I,B.W.Alberty,assistant Executive secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of laws filed in this Office and in my custody.

Given under my hand and the seal of the Cherokee Nation this the 25th day of February 1901. B. W. Alberty

Assistant Executive secretary,
Cherokee Nation.

Did you have any reason to believe that he had been married before
No sir.
About how old was he when he was married?
About twenty-one or two.
You never heard that he had been married before? A No sir.

JAMES WHORSEHUNT, being first duly sworn, and being examined, testified as follows:

MR. GIVENS: State your name, age and residence.
James Whorsehunt, forty-four years old, resident of the Cherokee Nation.
How long have you been residing in the Cherokee
could not tell exactly, [illegible]
[illegible]
Were you
Were you
There did
Lived about three miles and a half or four miles from Hulbert,
the Canadian River.
How close was that to the place where you was then living?
About a quarter of a mile.
Were you present at the marriage of Moses and Rebecca Quinton?
No sir, I was not.
Well, they lived at about a quarter of a mile from you, as you state; do you know whether they held themselves out as husband and wife? A They did, yes sir.
Were they so regarded by the neighbors generally?
By everybody.
Do you know how long Rebecca Quinton continued to live with Moses Quinton as his wife?
I don't know exactly, something over two years.
Did she live with him up to the time of her death? A Yes sir.
During the time she was living with him, do you know whether or there was a child, Sarah Elizabeth, born to her? A Yes sir.
Do you know whether or not this child was regarded as the daughter Moses Quinton? A Yes sir, it was.

MR. AUSTINS: Had either of the child's parents been married before

R.

C. D-1102.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 22, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of Sarah E. Quinton for enrollment as a citizen of the Cherokee Nation.

Appearances:
J. M. Givens, attorney for applicant.
W. W. Hastings, attorney for Cherokee Nation.

Wm. B. Beck was notified by registered letter February 28, 1902, that the application of Sarah E. Quinton for enrollment as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 19th day of March, 1902. On said date the case was continued by agreement until the 22nd day of March, 1902. The same being this date, to-wit: the 22nd day of March, 1902, the applicant this day appears by attorney, J. M. Givens.

WILLIAM RIDDLE, being first duly sworn, and being examined, testified as follows:

MR. GIVENS: What is your name? A William Riddle.
Q Your age? A Forty-six.
Q What is your post office address? A Texanna, Indian Territory.
Q Were you acquainted with Moses Quinton? A Yes sir.
Q Were you acquainted with his wife, Rebecca Quinton? A Yes sir.
Q Do you know when Moses Quinton and Rebecca Quinton were married?
A To the best of my knowledge, in 1888.
Q Where did this marriage take place? A Canadian District.
Q Do you remember at what house? A At my house, on the Canadian.
Q Do you know that the marriage ceremony was actually performed?
A Yes sir.
Q Were you present when the ceremony was performed? A Yes sir
Q Was the ceremony performed by a minister? A Yes sir.
Q Do you know thename of the minister? A No sir, I was not acquainted with him.
Q Were there more persons besides yourself, Moses Quinton and Rebecca Quinton present when the ceremony was performed?
A Well, her father and sister, and myself. Her folks are all dead and gone.
Q After they were married, do you know whether or not they lived together as husband and wife? A Yes sir.
Q Do you know how long this relation was kept up?
A They livedtogether until her death.
Q Are you acquainted with theapplicant, Sarah Elizabeth Quinton?
A I know the child, but then I had nothing to do with the people.
Q Are you acquainted with her? A Yes I know her.
Q Was this child born to Rebecca Quinton during the time she was married to Moses Quinton? A Yes sir.
Q Do you know whether or not this child was recognized as the child of Moses Quinton? A Yes sir.

MR. HASTINGS: Do you know whether either of this child's parents were ever married before?
A Not that I know of. The girl was not, I know.
Q How long had you known the father before this marriage that you speak of?
A About three years.

Q Did you have any reason to believe that he had been married before
A No sir.
Q About how old was he when he was married?
A About twent y-one or two.
Q You never heard that he had been married before? A No sir.

JAMES WHRSENHUNT, being first duly sworn, and being examined, testified as follows:

MR. GIVENS: State your name, age and residence.
A James Whrsenhunt, fourty-four years old, residencein the Cherokee Nation.
Q How long have you been residing in the Cherokee Nation?
A I could not tell exactly, ever since I was a little boy, about thirty-three years.
Q Were you acquainted with Moses Quinton? A Yes sir.
Q Were you acquaintedwith his wife, Rebecca Quinton? A Yes sir.
Q Where did they live about the years 1888 and 1889?
A Lived about three miles and a half or four miles from Dickson, in the Canadian River.
Q How close was that to the place where you was then living?
A About a quarter of a mile.
Q Were you present at the marriage of Moses and Rebecca Quinton?
A No sir, I was not.
Q Well, they lived at about a quarter of a mile from you, as you state; do you know whwther they held themselves out as husband and wife? A They did, yessir.
Q Were they so regarded by the neighbors generally?
A By everybody.
Q Do you know how long Rebecca Quinton continued to live with Moses Quinton as his wife?
A I don't know exactly, something over tw years.
Q Did she live with him up to the time of her death? A Yes sir.
Q During the time she was living with him, do you know whether or not there was a child, Sarah Elizabeth, born to her? A Yes sir.
Q Do you know whether or not this child was regarded as the daughter of Moses Quinton? A Yes sir, it was.

MR. HASTINGS: Had either of the child's parents been married before
A The father never had. I don't know about the mother. I ddn't think so. The father never had.

BY COMMISSION OF MR. GIVENS: You submit the case? A Yes sir.

The attorney for the applicant and the representative of the Cherokee Nation submit the case, same is deemed completed, and will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoingis a true and complete transcript of the stenographic notes thereof.

_____

Cherokee-D-1102

An Act readmitting Joseph Quinton, Lydia Quinton and Moses Quinton to Citizenship.

Be it enacted by the National Council:

That Joseph Quinton and family wife, Lydia Quinton, son Moses Quinton be and they are hereby readmitted to all the rights and privileges of Cherokee Na. Citizens.

Nov. 15th 1882
J. B. Hayes
Clerk

John Sevier
Speaker of Council

Concurred in by the Senate Nov 16th 1882.
Roach Young
Prest. Senate

D. R. Hicks
Clerk Senate.

Approved Nov. 21st 1882
D. W. Bushyhead.
Principal Chief.

Executive Office, Cherokee Nation,
Tahlequah, I.T.

I, R. W. Alberty, Assistant executive Secretary of the Cherokee Nation do hereby certify that the foregoing is a true copy taken from the record of laws filed in this office and in my custody. (SEAL) Given under my hand and the seal of the Cherokee Nation this the 25th day of February 1901.

R. W. Alberty,
Assistant Executive Secretary,
Cherokee Nation.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Sarah A. Quinton as a citizen of the Cherokee Nation.

Muskogee, Indian Territory,
June 4, 1902.

W. S. Kafoury

Cherokee D 1102. 9/713
-6

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sarah E. Quinton as a citizen by blood of the Cherokee Nation.

DECISION.

The record in this case shows that on February 15,1901, William B. Beck appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment of Sarah E. Quinton, a minor, as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 22,1902.

The evidence shows that the said Sarah E. Quinton is the child of Moses Quinton who was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation on November 21,1882; and that she was born subsequent to the admission of her father to citizenship. The said Sarah E. Quinton is identified on the 1894 pay roll of the Cherokee Nation. It does not appear just how long the said Sarah E. Quinton has lived in the Cherokee Nation, but it is shown that she had lived in the Cherokee Nation about three years continuously next before the application herein; that she was a resident of said Nation on June 28,1898, and at the date of the application herein.

It is, therefore, the opinion of this Commission that Sarah E. Quinton should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

And SEP 20 1902

COMMISSIONERS
HENRY L. DAWES
JAMES S. BOXBY
THOMAS B. NEEDLES
C. R. KENDRICK
ALFRED A. WORTHINGTON

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Cherokee D-1102

Muskogee, Indian Territory, February 28, 1902

Mr. William B. Beck,

Fawn, Indian Territory,

Sir:-

You are hereby notified that the application of Sarah E. Quinton

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 19 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of marriage of the parents of Sarah E. Quinton, or official copy thereof.

Register.

Yours truly,

Commissioner in Charge.

Acting Chairman.

Cherokee D 1102.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of William B. Beck for the enrollment of Sarah E. Quinton as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 115.

Cherokee D - 1102.

Muskogee, Indian Territory, October 25, 1902.

William B. Beck,

Fawn, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of Sarah E. Quinton as a citizen by blood of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enclosure C. No. 46.

Register.

Cher 9827

Robert L. Horn

Trans from D160

Cher 9827

AC 1115 A

DEPARTMENT OF THE [illegible]

[illegible] THE RIVER [illegible] BES

FILED

FEB [illegible] 1911

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 15, 1901.

In the matter of the application of John L. Horn for the enrollment of his brother, ROBERT L. HORN, as a Cherokee citizen the said John L. Horn being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A John L. Horn.
Q How old are you? A 29 years old.
Q What is your postoffice? A Vian.
Q In what district do you live? A Illinois.
Q Who is it you want to enroll, a brother? A Yes sir.
Q What is his name? A Robert L. Horn.
Q How old is he? A 27 or 8 years old.
Q Why does he not apply for himself? A He was in jail.
Q He's in jail? A Yes sir.
Q Where? A At Fort Smith.
Q How long has he been there? A Since November.
Q Is his postoffice the same as yours? A Yes sir.
Q Is he awaitng trial there? A No sir.
Q What is he doing, undergoing sentence? A Yes sir.
Q How long has his sentence to run? A About a year.
Q He's a Cherokee by blood, is he? A Yes sir.
Q How long has he lived in the Cherokee Nation? A All his life.
Q Give me the name of his father. A John Horn.
Q Is he dead or alive? A Dead.
Q Give me the name of his mother? A Louisa.
Q Is she dead or alive? A She's living.
Q This brother, Robert, never been married, has he? A No sir.
Q He's your full brother? A Yes sir.

The Cherokee authenticated roll of 1880 examined, and the name of the applicant's brother is found on page 540, No. 871, as Robert L. Horn, in Illinois district.
The Cherokee census roll of 1896 examined, and his name is found on page 867, No. 877, as Robert Horn, in Illinois district.

Q Where was your brother convicted? A At Muskogee; he was convicted at Wagoner.
Q When? A LastmNovember.

Commissioner Breckinridge-

The applicant applies for the enrollment of a brother who he states is in jail at Fort Smith undergoing sentence of confinement with about a year to run, and consequently unable to apply for himself. This brother is identified on the rolls of 1880 and 1896 as a native Cherokee. He is said to have lived in the Cherokee Nation all his life, and he will now be listed for enrollment as a Cherokee by blood; but in order to permit the Commission to examine the official record in case they desire to do so, he will be listed for the present upon a doubtful card.

F.G.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

Subscribed and sworn to before me this 16th day of February, 1901.

Commissioner.

B

DEPARTMENT
COMMISSION TO
FEB

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

27

Name [illegible] Date Oct 15, 1900

District [illegible] Year [illegible] Page 5-40 No. 871

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	

[illegible]

Cherokee-D- 1105

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Robert L. Horn as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on February 15, 1901 John L. Horn appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment of his brother, Robert L. Horn, as a citizen by blood of the Cherokee Nation.

The evidence shows that the said Robert L. Horn is a Cherokee by blood. He is identified on the 1880 authenticated tribal roll of the Cherokee Nation, and on the 1896 Census Roll of said nation.

The evidence further shows that the said Robert L. Horn has resided in the Cherokee Nation all his life.

It is, therefore, the opinion of this Commission that Robert L. Horn should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898(30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

Cherokee D 1105.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of John L. Horn for the enrollment of his brother, Robert L. Horn, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 126.

Cherokee D - 1108.

Muskogee, Indian Territory, October 27, 1902.

John L. Horn,

Vian, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your brother, Robert L. Horn, as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Enclosure C. No. 37.

Register.

Cher 9828

Annie J. Allen

Trans from D1106

Cher 9828

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., February 15, 1901.

In the matter of the application of William B. Allen for the enrollment of himself, wife and children as Cherokee citizens; he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A William B. Allen.
Q How old are you, Mr. Allen? A I was 46 years old the 8th of August, last.
Q What is your postoffice? A Vinita.
Q In what district do you live? A Delaware district.
Q Who is it you want to enroll, yourself and family? A Myself and family, yes sir.
Q Have you a wife? A Yes sir.
Q How many children have you? A I have four children, Judge.
Q Are you a Cherokee by blood? A I am a Cherokee by blood, yes sir.
Q Your wife a Cherokee or a white woman? A She's a Shawnee woman.
Q Have you your marriage license and certificate? A I haven't them with me.
Q When were you married? A In '83.
Q To whom were you married? A Anna J. McClain.
Q Were you ever married except to this wife? A No sir.
Q Never married before? A No sir.
Q Was she ever married except to you? A Yes.
Q Was her former husband dead when she married you? A Yes.
Q Have you lived with her ever since you and she were married? A Yes sir.
Q And all the time in the Cherokee Nation? A All the time in the Cherokee Nation, yes sir.
Q Your wife's present name is Anna J. Allen? A Yes sir.
Q How old is your wife? A 36 years old.
Q How long has she lived in the Cherokee Nation? A She's been here ever since '70; she came before you when you were at Vinita, but you couldn't find her name. I think you will find her with Thomas Dougherty's family.
Q Has she already applied for enrollment? A She came before you at Vinita.
Q Did she apply for you at that time? A No sir.
Q Did she apply for the children at that time? A No sir.
Q You say she applied for enrollment at Vinita, did she? A Yes sir.
Q Did your wife come with the Shawnees in '71? A Yes sir.
Q Has she lived in the Cherokee Nation ever since '71? A Yes sir, ever since.
Q Give me the name of her father. A John McClain.
Q Is he dead or alive? A He's dead.
Q Give me the name of her mother. A Anna McClain.
Q Is she dead or alive? A She's dead.
Q Give me the names of your children. A Ada P.
Q How old is that child? A She's 12.
Q How long have you lived in the Cherokee Nation yourself? A About 18 years.
Q What is the name of your next child after Ada? A Ida E., she's 8 years old.
Q The next child? A William C.
Q He was born December 8, 1896? A Yes sir.
Q Another child named John O.? A Yes sir.
Q This child is 2 years old? A Yes sir.
Q You have these four children living? A Yes sir.

The applicant presents a duly authenticated certificate of the records of the Commission on Citizenship showing that on the 3rd of September, 1883, W. B. Allen was admitted to citizenship by the Commission as a Cherokee by blood. This is filed herewith.

(The authenticated roll of 1880 examined, and the name of the applicant's wife not found thereon).

By the Applicant- You will find her enrolled probably with Thomas Dougherty an uncle of hers. She was living with them. Her father and mother were dead. If she aint with them, she was living with the Kaysers.

Q What are the names of the Kaysers? A Tom Dougherty told me he enrolled them in 1893.
Q I am talking about 1880? A She was living with Thomas Dougherty.

The Cherokee census roll of 1896 examined, and the name of the applicant is found on page 430, No. 21, as William Bartain Allen, in Delaware district; his children are found on the 1896 roll as follows:
On page 430, No. 23, Ada Bell Allen, Delaware district.
On page 430, No. 24, Ida Elizabeth Allen, Delaware district.
On page 430, No. 25, William Curtis Allen, Delaware district.
The applicant's wife is found upon the Shawnee pay roll of 1896, as follows: On page 1, No. 6, as Annie Allen, Cherokee- Shawnee Pay Roll. Her name is also found upon the census roll of 1896 as follows: On page 596, No. 9, Amie Allen, in Delaware district. (Listed as a Shawnee).

Q Is there anybody here that knows that you and your wife are living together as husband and wife? A Nobody here.
Q Where did you marry your wife? A In Vinita.
Q Who married you? A Pascale Fish.
Q Is he a preacher? A A Shawnee man, a preacher.
Q Did he give you a certificate of marriage? A Yes sir.
Q What did you do with it? A I left them at home.
Q Is he still living? A No, he's been dead for four or five years.

Commissioner Breedlove-
The applicant applies for the enrollment of himself, his wife and four children. He is shown to have been admitted to citizenship by the Cherokee Commission on Citizenship in 1883. He states that he came to the Cherokee Nation 18 years ago, and has there lived ever since. He is identified on the roll of 1896, and he will be listed for enrollment as a Cherokee by blood. He states that his wife is a Shawnee, and that she came to the Cherokee Nation with the Shawnees in 1871, and has lived there ever since. It appears that she was an orphan at an early age, and had lived with different ones, and she cannot be identified on the roll of 1880. While there are a number of McClains on the original Shawnee roll, many of them are given simply as McClain, and neither this woman, or her father, or mother, can be definitely identified. It is probable that her omission from the roll of 1880 is more apparent than real as the name she bore at that time cannot be definitely determined. With reasonable accuracy, she is identified on the Shawnee Pay roll of 1896, and on the Cherokee Census roll of 1896, on the latter being, if identified, indicated as a Shawnee: but on neither roll is she referred to as the wife of the applicant, or as the mother of his children. She will be listed for enrollment as a Cherokee-Shawnee, but upon a doubtful card to await her more satisfactory identification as a Shawnee; in the lack of which she could be entitled to enrollment as a Cherokee by adoption when her marriage is more satisfactorily established with the applicant. He states that he was never previously married, but that his wife was married before, but that her husband was dead when she married him, and that he has a certificate of marriage to this wife in 1883 at home. He is desired to send that certifi-

cate to the Commission. Of the four children named in the testimony, Ada B., Ida E., William C., and John O. Allen, the first three are identified on the roll of 1896 with the applicant himself; they are all said to be living now, but it is insufficient for these children to be identified simply with the father; the status of their mother must be determined. They will therefore be listed for enrollment as Cherokees by blood, but upon a doubtful card to await the further identification of their mother, particularly as relates to her marriage to their father. He is required to supply the Commission with a certificate of birth of the youngest child, John O. Allen.

E.G.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

E. G. Rothenberger

Subscribed and sworn to before me this 16th day of February, 1901.

Commissioner.

D 1106

3

DEPARTMENT OF
COMMISSIONER OF PATENTS
RECEIVED
FEB 2 1966

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date [illegible] 1900

Name [illegible] Allen

District [illegible]

Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Wife's name [illegible]

District [illegible]

Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship

Intermarried citizen

Married under what law

Date of marriage

License

Certificate

Names of Children:

1	Ida B. Allen	Dist. Del.	Year 1896	Page 430	No. 23	Age	12
2	Ida E. "	Dist.	Year	Page 430	No. 24	Age	8
3	William C "	Dist.	Year	Page "	No. 25	Age	4
4	John F.	Dist.	Year	Page	No.	Age	2
		Dist.	Year	Page	No.	Age	
		Dist.	Year	Page	No.	Age	
		Dist.	Year	Page	No.	Age	
		Dist.	Year	Page	No.	Age	
		Dist.	Year	Page	No.	Age	
		Dist.	Year	Page	No.	Age	

~~No. 1 on Hale roll as William Curtis Allen.~~

" 2 " " " " Ida B. Allen

" 3 " " " " Ida Elizabeth "

" 4 " " " " William Curtis "

" 2 on 1896 Del. roll " " as [illegible]

" 3 Certificate to [illegible]

" 1 Certificate [illegible]

1898

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of the

Nation

Approved

DEPARTMENT OF THE
COMMISSION TO THE FIVE
FILED
FEB 15 1901

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: Application for Enrollment, as a citizen of the Cherokee Nation,

of John Oliver Allen, born on the 17 day of November, 1899
(Here insert name of child)

Name of Father: W. B. Allen, a citizen of the Cherokee Nation.

Name of Mother: Annie J Allen, a citizen of the Cherokee Nation.

Post-office Vinita Ind Terr.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, Annie J Allen, on oath state that I am thirty six (36) years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful wife of W B Allen, who is a citizen, by blood, of the Cherokee Nation; that a male (male or female) child was born to me on the 17th day of November 1899; that said child has been named John Oliver Allen, and is now living.

Annie J Allen

Subscribed and sworn to before me this 5th day of February 1901.

Dennis N. Wilson
NOTARY PUBLIC.

Com. Exp Jan. 20 1904

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, Jennie Boudinot, a midwife, on oath state that I attended on Mrs. Annie J. Allen, wife of W. B. Allen, on the 17th day of November, 1899; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named John Oliver Allen

her
Jennie × Boudinot
mark

WITNESSES TO MARK:
(Must be Two Witnesses)
Sig Markham
Mary Markham

Subscribed and sworn to before me this 14th day of Feby 1901.

L. B. Bledsoe
NOTARY PUBLIC.

To be filed in C. W-1106.

Department of the Interior.
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 5, 1902.

In the matter of the application of Annie J. Allen for the enrollment of herself and children as Cherokee citizens.

—o—

The applicant in this case was notified by registered letter on February 28, 1902, that her application for the enrollment of herself and children as citizens of the Cherokee Nation would be [illegible] Commission for its action. [illegible] on said date [illegible] her [illegible].

Receipt was acknowledged [illegible] Commission's letter and on March 19, 1902, the case was continued by agreement [illegible] 1902; the case being this 5th day of April, 1902, called, the applicant failing to appear in person or [illegible] attorney, the record in the case is deemed complete and the same will be reported to the Commission for decision, based upon the evidence of record.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

To be filed in C. D-1106.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 5, 1902.

In the matter of the application of Annie J. Allen for the enrollment of herself and children as Cherokee citizens.

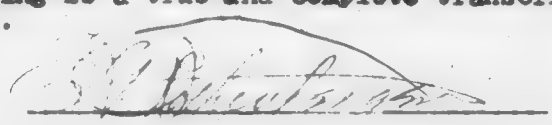
—o—

The applicant in this case was notified by registered letter on February 28, 1902, that her application for the enrollment of herself and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its office, in Muskogee, Indian Territory, on the 19th day of March, 1902; that on said date she might introduce any further testimony affecting her application.

Receipt was acknowledged of the Commission's letter and on March 19, 1902, the case was continued by agreement to April 5, 1902; the same being this 5th day of April, 1902, called, the applicant failing to appear in person or by attorney, the record in the case is deemed completed and the same will be reported to the Commission for decision, based upon the evidence of record.

—o—

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.



XIII.

D. 1106.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., May 15, 1902.

In the matter of the application of Annie J. Allen [illegible] thers for enrollment as citizens of the Cherokee Nation.

SUPPLEMENTAL TO D-1106.

Applicants appear by S. F. Clover, Vinita, I. T.
Cherokee Nation appears by W. W. Hastings.

COMMISSION: By agreement this case is reopened this 15th day of May, 1902, and the following proceedings were had.

THOMAS DAUGHERTY, being first duly sworn, testified as follows:

MR. CLOVER: What is your name, age, and postoffice? A My name is Thomas Daugherty, age 52, postoffice Vinita.
Q State what tribe of Indians you belong to? A Shawnee tribe, Cherokee-Shawnee rather.
Q Are you pretty well acquainted with the members of the Cherokee-Shawnee tribe who came down here and registered and lived there and married and died, as a general thing about the affairs of the Shawnee tribe of Indians? A Yes, sir.
Q Do you know a woman who is the wife of William P. Allen? A Yes, sir.
Q A Cherokee Indian who is now a resident of Vinita, Indian Territory and how long have you known her? A I have known her about ever since oh about '73 or '4.
Q Who was her father; what tribe did he belong to? A Her father's name was John McLain, belonged to the Shawnee tribe.
Q Who was her mother? A Her mother was named Ellen Keizer.
Q Where about was she born? A Why I don't know where and when she was born, I don't know.
Q Well is she a Shawnee Indian by birth or blood? A Yes, sir.
Q When she came to the Indian country, Cherokee Nation, and under that name do you know that she ever registered, of course that's not to be put in, we want that established? A Why she was a McLain.
Q How was you at any time ever appointed her guardian and by what court and when? A Yes, sir, I was appointed guardian of that child by the Cherokee court in Delaware District.
Q About what time was that? A Well I couldn't exactly state what year, but Judge Wiley was the judge then.
Q Well how near to '80 or not? A Somewhere along in there.
Q Well as her guardian did you or did you not - just state that way - whether you enrolled her upon the roll of '80, authenticated Cherokee roll, offer her name there? A I think I did.
Q As a member of your family? A No, sir, she was a niece of xxxx my wife at that time.
COMMISSION: Under what name did you enroll her? A Why Emma McLain.
Q How did you get the name of Emma McLain? A Well that was the name that she went by at that time.
Q But her correct name is Annie is it? A Well, after she went to school, why she got this Annie and she signed her name Annie E.
Q Do you know whether she was registered as Emma McLain in '80?
A Emma McLain.
Q This girl have any brothers or sisters? A No, got a half-sister.
Q Same mother? A Same mother.
Q What was the half-sister's name? A Her name was Eliza Kuhn.

Q Was she older or younger than this Annie E. McLain? A Younger.
Q How much younger? A I don't know how many years, think Eliza was born about '75 or '6.
Q Eliza Kuhn? A Kuhn.
Q Did the mother of this woman Emma after her husband McLain died? A Married David Daugherty.
Q She married David Daugherty? A Yes, sir.
Q How long has this applicant's mother been dead? A Why I think she died about '77 maybe '8.
Q And this child Eliza that you speak of is her child by David Daugherty? A Yes, sir.
Q And Eliza is a half-sister of the applicant? A Yes, sir.
Q Had the full mother? A Same mother, she was a Keizer, Maiden name was Keizer, married to McLain, John McLain.
Q How long has he been dead? A Why I don't know when he did die, along in the 70's somewhere.
Q This child came and lived with you immediately after the death of her mother? A Yes, sir, the mother of this child was my wife's sister, that's how this child come to be around, and she came to live with me immediately after the death of her mother.
Q Has she resided continuously in the Cherokee Nation since that time? A Ever since, yes, sir, excepting what little time she went to school at Wyandotte, and that wasn't long.
Q About when was that? A That was along before '80.
Q Before '80? A Yes, sir.
Q But she was living with you when that '80 roll was made? A Yes, sir.
Q Did you apply to the census enumerators to have her enrolled? A I thought I did.
Q Have you applied to have her enrolled under the name of Emma McLain? A That was the name she went by, Emma McLain.

Authenticated Roll of 1880 examined and the name of the applicant does not appear thereon.

MR. CLOVER: You know John McLain when he came to the Cherokee Nation under the agreement of June 9, '69? A Yes, sir.
Q And about what time did he die? A Well that I couldn't say exactly.
Q Well you knew his wife; what was her name? A Her name you mean?
Q Yes. A Her full name was Ellen Keizer.
Q And did they have any children? A Had one child.
Q That the only child that he had at that time? A Only one I know of that marriage.
Q And how old was she about the time - how old was the child at the time this moving took place to the Cherokee Nation, about how old was she? A I couldn't state how old she was.
Q I want to get the facts as well as anybody else? A I don't know, must have been a year or two old, might have been older, I couldn't say.
Q And who has she married; you have known her ever since the time she came here have you not? A Know her before she ever came here.
Q Who she married and how many marriages have taken place? A Well she married, this woman, and she married David Daugherty after she came to the Cherokee Nation.
Q Now you state that she had one child by John McLain; what is the name of that child as you know her? A Why I knew her as Emily McLain.
Q When did you first ascertain her name to be otherwise? A I think after she went to school as near as I can remember.
Q What do they call her? A Annie.
Q To whom is she now married? A William Allen.
Q To what tribe does he belong? A Claims to be a Cherokee.

Q How many children have they got? A About five, maybe six.
Q About hat time was the last one born? A Oh I guess it's been about two months ago, maybe more.
Q Well I wish to ask you, you are well acquainted about the rolls made by John F. Wallace of the Chamnees hereunder; I wish to ask if you was present at this Annie or Emily Allen, Joe McLain, applic[illegible] there to be on rolls? A I suppose I was.
Q Was you or was you not interpreter at that time? A I was.
Q Now do you know whether or not they got money under that roll? A Yes, sir, she did.
Q Well you remember the Chamnees had a roll, commonly called before the Chamnees as the Chamnee money, seven dollar roll, was she enrolled upon that roll? A Yes, sir.
Q Well was her children enrolled upon her the Wallace roll or that seven dollar roll? A Yes, sir, I think so.
Q You think her children was enrolled on either one? A Why I don't think so on the Wallace roll, I don't know.
Q Well then again you remember the roll made by James G. Dixon commonly called the Dixon roll? A Yes, sir.

COMMISSION: Attention is here invited to the name of John McLain as it appears opposite No. 507 on the register of Chamnees; also to Nos. 505 and 506 on said roll. It would appear that No. 506 is the applicant in this case.

Q How did John McLain ever have any children by any other woman than his wife Ellen? A Yes, sir. I think he married again.
Q That was after, though, after that Chamnee register? A After they had separated, yes, sir.
Q Now what is she doing here with the Chamnees if she have any children other than the applicant? A No, think not.
Q She was the only child he had at that time? A Yes, sir, had several children since.
Q This girl has lived in the Cherokee Nation ever since she came here? A Yes, sir. She has been in the Cherokee Nation now, living in the Chero[illegible] Nation, Oklahoma.

Arthur S. Cronmiller, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signature illegible) Cronmiller

Subscribed and sworn to before me this 17th day of May, 1902.

Notary Public.

Cherokee - - 1106

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Annie J., Ada B., Ida E., William C. and John O. Allen as citizens of the Cherokee Nation of Shawnee blood.

D E C I S I O N.

The record in this case shows that on February 15, 1901, William B. Allen appeared before the Commission at Muskogee, Indian Territory, and made personal application for the enrollment, among others, of his wife, Annie J. Allen, and his four minor children, Ada B., Ida E., William C. and John O. Allen, as citizens of the Cherokee Nation of Shawnee blood. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on April 5, 1902 and May 15, 1902. The other party to the application is differently classified, and is not embraced in this decision.

The evidence shows that the said Annie J. Allen is of Shawnee blood. She is identified on the 1896 Census Roll of the Cherokee Nation, and on the Shawnee Pay Roll of 1896. She is also identified with reasonable accuracy on the 1871 Register of Shawnees.

The three minor children, Ada B., Ida E. and William C. Allen are identified on the 1896 Census Roll of the Cherokee Nation.

The child, John O. Allen, is identified by a birth affidavit on file with this Commission.

The evidence further shows that the said Annie J. Allen has continuously resided in the Cherokee Nation since 1871, and that she and her said children were residents of said nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Annie J. Allen, Ada B. Allen, Ida E. Allen, William C. Allen and John O. Allen should be enrolled as citizens of the Cherokee Nation of Shawnee blood in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

JCR Cherokee 9828.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.
Tahlequah, I. T., April 27, 1905.

In the matter of the application of Annie J. Allen for the enrollment of herself and children, Ada B., Ida E., William C. and John O. Allen, as citizens by blood of the Cherokee Nation. No. 9828.

ADA B. THARP, being duly sworn and examined by the Commission, testified as follows:---

Q What is your name? A Ada B. Tharp.
Q How old are you? A 16 years old.
Q What is your post-office? A Chelsea, I. T.
Q Your post-office use to be Vinita? A Yes sir.
Q Are you married? A Yes sir.
Q What is the name of your husband? A Tharp. His name's Tharp; my name was Allen before I married.
Q What is his first name? A Walter Tharp.
Q Is he a citizen of the Cherokee Nation? A Yes sir, but he didn't get his rights.
Q He doesn't claim anything? A No sir. He doesn't claim anything.
Q When were you married? A 22 of May, be two years this coming May.
Q Are you and he living together now? A Yes sir.
Q Is your mother named Annie J. Allen? A Yes sir.

Joe Chambers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony in this case, and that the above and foregoing is a true and complete copy of his stenographic notes.

Joe Chambers

Subscribed and sworn to before me this 3rd day of June, 1905.

Notary Public.

JC

COMMISSIONERS
HENRY L. DAWES
JAMES BIXBY
THOMAS B. NEEDLES
W. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN REPLY REFER TO

Cherokee D-1108

Muskogee, Indian Territory, February 28, 1902.

Mr. William B. Allen,

Vinita, Indian Territory,

Sir:-

You are hereby notified that the application of Annie J. Allen and four minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 19 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with your certificate of marriage to your wife Annie J.

Yours truly,

Commissioner in Charge.

Register.

Acting Chairman.

Cherokee-D-1106.

Muskogee, Indian Territory, March 24, 1902.

S. S. Clover, Esq.,
Attorney at Law,
Vinita, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of March 18, enclosing affidavit of Annie Combs, asking for the continuance of the final hearing of the application for enrollment as a citizen of the Cherokee Nation of Mrs. Annie J. Allen et al.

As requested in this affidavit you are hereby advised that the final hearing of this case will be continued until April 5, 1902.

Your letter also requested that Mrs. Allen be furnished with blank affidavit for the enrollment of her infant child, such an affidavit is enclosed herewith.

Very truly,

Enc. 1 B.C.

Commissioner in Charge.

Cherokee D-1106.

Muskogee, Indian Territory, April 8, 1902.

S. S. Clover, Esq.,
Attorney at Law,
Vinita, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of April 4, 1902, relative to the application for enrollment as citizens of the Cherokee Nation of Annie J. Allen et al.

You state in your letter that this applicant is too poor to pay the expenses of witnesses to come to Muskogee and testify in her case, but you do not make any request or suggestion as to what action you wish the Commission to take .

The applicant certainly should be able to have a birth affidavit executed as to the birth of your child, so that any children that may have been born to her since the date of her application may be listed with her.

This case was set for final consideration on April 5, and on that date there was no appearance on behalf of applicant, the same was deemed completed and the Commission will proceed to render its decision as soon as practicable, unless there is some additional testimony which you wish to present and can arrange to have witnesses to appear and testify.

Yours truly

Commissioner in Charge.

COPY

Cherokee D 1106.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of William B. Allen for the enrollment of his wife, Annie J. Allen, and his four minor children, Ada B., Ida E., William C. and John O. Allen, as citizens of the Cherokee Nation of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 116.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.
ASSISTANT ASSISTANT SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

D - 1106.

Muskogee, Indian Territory, October 24, 1902.

William B. Allen,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Annie J. Allen, and your four children, Ada B., Ida E., William C. and John O. Allen, as citizens of the Cherokee Nation by Shawnee blood.

Respectfully,

C. R. Breckinridge

Acting Chairman.

Enclosure C. No. 45.

Register.

INDEXED

DEC 19 1903

Clover, S. S.,
Vinita, I. T.,
Dec. 9, 1903.

Enclosing birth affidavit.

JOSEPH H. BUTLER,

....POSTMASTER....

VINITA, IND. TER., 190

Cherokee 9828

Muskogee, Indian Territory, December 24, 1902.

S. S. Clover,

Vinita, Indian Territory.

Dear Sir:-

The Commission is in receipt of your letter of December 19, enclosing birth affidavit in the matter of the application for the enrollment, as a citizen of the Cherokee Nation, of Edna Allen, infant child of William B. and Annie J. Allen. The affidavit was received by the Commission December 20, 1902, and the date of the birth of this child is given as March 14, 1902.

Under the provisions of section 30 of the Cherokee Agreement, proclaimed August 12, 1902, quoted below, the Commission is without authority to receive the application for the enrollment of this child.

"Sec.30. During the months of September and October, in the year nineteen hundred and two, the Commission to the Five Civilized Tribes may receive applications for enrollment of such infant children as may have been born to recognized and enrolled citizens of the Cherokee Nation on or before the first day of September, nineteen hundred and two, but the application of no person whomsoever for enrollment shall be received after the thirty-first day of October, nineteen hundred and two."

Respectfully,

Acting Chairman.



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS
Penalty for private use, $300.

William D. Allen,

[illegible], Indian Territory.

Cher 9829

Cicero Davis

Trans from D1121

Cher 9829

9

DOUBTFUL AS TO APPLICANT'S HUSBAND.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, I.T., FEBRUARY 21st, 1901.

IN THE MATTER OF THE APPLICATION OF SIDNEY DAVIS FOR THE ENROLLMENT OF HERSELF, HUSBAND AND CHILDREN AS CITIZENS OF THE CHEROKEE NATION, AND SHE BEING SWORN AND EXAMINED BY COMMISSIONER, T. B. NEEDLES TESTIFIED AS FOLLOWS:

Q What is your name? A Mrs. Cicero Davis.
Q What is your given name? A Sidney Davis.
Q How old are you? A Twenty nine years old.
Q What is your Postoffice address? A Fawn, Indian Territory.
Q What district do you live in? A Canadian.
Q Are you a recognized citizen of the Cherokee Nation?
A Yes, sir.
Q By blood? A Yes, sir.
QQ For whom do you apply for enrollment? A My husband, myself and three children.
Q Why is not your husband here in person? A He has business to keep him at home.
Q What is your husband's name? A Cicero Davis.
Q What is his age? A Forty one.
Q Is he a Cherokee citizen by blood? A Yes, sir.
Q What are the names of your children? A Rachel
Q How old is she? A Nine.
Q Next one? A Mannie.
Q How old is she? A Seven.
Q Next child? A Christine.
Q How old is she? A Five.
Q What was your maiden name? A Whisenhunt.
Q Is Mr. Davis your first husband? A Yes, sir.
Q Are you his first wife? A Yes, sir.
Q How long have you lived in the Cherokee Nation?
A I was born and raised here.
Q When were you married to Mr. Davis? A September, 1887.
Q Is Mr. Davis' name on the 1880 Roll? A I don't suppose he is.
Q Is he a citizen by blood? A Yes, sir, but he was out west on a trip when the roll of 1 80 was made and did not get back; he was in Colorada.
Q What is his father's name? A John Davis.
Q Is he living? A No, sir, he is dead.
Q What was his mother's name? A Saphronia Tate was her maiden name; they were admitted in the year '71.
Q Have you any certificate of admission.
A I don't know sir whether he has or not.

Tribal Rolls of the Cherokee Nation examined and the names of the applicants herein appear thereon as follows:

1880 AUTHENTICATED ROLL:
Page 486, #1866, Sidny Whisenhunt, G-snake District.

1896 CENSUS ROLL:
Page 18, #499, Cicero Davis, Canadian District.
Page 18, #500, Sidney Davis, Canadian District.
Page 18, #501, Rachel Davis, Canadian District.
Page 18, #502, Mannie Davis, Canadian District.
Page 18, #503, Christiana Davis, Canadian District.

Q Well now, there is no evidence here of the citizenship of your husband Mrs. Davis? You say he was in Colorada in 1880?
A Yes, sir.
Q When did he go there? A Some time that spring.
Q How long did he live there? A He did not live there at all; he just went out there on a trip. He was just twenty one when he came here; when he came back from out west.
Q You swear that he out there a short time, you say?
A A short time I think.

Q Do you know whether he was ever readmitted to citizenship?
A I don't think he ever was; he never thought it necessary to apply for readmittance; he has always been recognized as a citizen and never took the trouble to get readmission papers.
Q What degree of blood has he? A They claim one sixteenth; they say they have one ~~eighth~~ eighth I think.
Q Have you always lived in the Cherokee Nation? A yes, sir.
Q Are these children all living at this time? A Yes, sir.
Q Were they born in the Cherokee Nation? A Yes, sir.

Com'r. T. B. Needles: The applicant, Sidney Davis applies for the enrollment of herself, her husband abd three children. Her name is found upon the authenticated roll of 1880 as Sidny Whisenhunt, her maiden name, and upon the census roll of 1896, as Sidney Davis, her present name; she avers that she was married in the year 1887 to one, Cicero Davis, a Cherokee citizen by blood; the name of Cicero Davis is found upon the census roll of 1896; his name can not be found upon the authenticated roll of 1880, and no satisfactory proof as to his admission to Cherokee citizenship is presented.

The name of applicant's children, Rachel, Nannie and Crhistine Davis are found upon the census roll of 1896: They are all duly identified according to the page and number of the rolls as indicated in the testimony, and make satisfactory proof of residence; consequently said Sidney Davis and her three children as enumerated herein will be duly listed for enrollment as Cherokee citizens by blood.

Final judgment as to the enrollment of her husband, Cicero Davis will be suspended and his name will be placed upon a doubtful card, awaiting satisfactory proof as to his citizenship.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 21st day of Febuary, A. D., 1901.

COMMISSIONER.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 22 1901

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	
Dist.	Year	Page	No.	Age	

29 1121-

1121

No. 17.

John Davis, aged fifty eight years , born and raised in the state of Georgia, and comes in the Cherokee Nation in April 1871, and has a wife and eight childred in Georgia , named as follewes. Jane S, his wife , and childred as follews, George A.Davis, aged twenty one years, Samuel Davis ,nineteen years old, Susanna Davis seventeen years old,Dahiel Davis, fifteen years old ,Cicero Davis, thirteen years old John Davis, six years old , Jane S, Davis about four years old , Robert Davis ,one year old: Said John Davis claims that he and his children are of Cherokee blood , and wishes to estab-lish his rights and that of his children to Cherokee Citizenship, and intreduces John Martin as witness to prove their claims as such.

Cherokee Nation,
Tahlequah,

Personally comes before me, R.B.Daniel, Chief Justice of the Supreme Court, John Martin, and being duly sworn, depeseth and sayeth that he is well acquainted with the above claiment ,John Davis, and that he is a Cherokee by blood by his mother and his children naturally follow as Cherokees,

John Martin,

Sworn to and subscribed before me this 2nd, day of June 1871.

R.B.Daniel.

Chief Justice Supreme Court.

The above is satisfactory to me that John Davis and family are Cherokees.

R.B.Daniel,

C.J.S.C.

Executive Department,

Cherokee Nation,

Tahlequah, Ind. Ter.

Feb.28th, 1901.

I, A.B.Cunningham, assistant X Executive Secretary of the Cherokee Nation, do hereby certify that the above and foregoing is a true and correct transcript of number 17, of the Citizen ship Docket of 1871, used by what is known as the "Rob Daniel" Court, Said Docket now being a part of the records of this office.

In testimony whereof I hereunto set my hand and seal of the Cherokee Nation, this the 28th, day of Feb. 1901.

A.B. Cunningham

Assistant Executive Secretary.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAR 25 1902

Supl.-C.D.#1121.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 19? 1902.

SUPPLEMENTAL in the matter of the application for enrollment of CICERO DAVIS as a citizen of the Cherokee Nation:

The applicant was notified by registered letter February 28, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 19th day of March, 1902, and that on said date he might appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any further testimony affecting his case. The applicant has this day, to-wit: the 19th day of March, 1902, been called and fails to respond either in person or by attorney and the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case had this day, and that the foregoing is a true and complee transcript of my stenographic notes thereof.

J. O. Rosson.

Chero. D-1121.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 19, 1902.

In the matter of the application of Cicero Davis for the enrollment of himself as a citizen by blood of the Cherokee Nation.

Applicant appears in person; Cherokee Nation by W. W. Hastings.

The applicant in this case was notified by registered letter on June 7, 1902, to appear before the Commission on or before June 27, 1902, and submit further evidence in regard to his residence in the Cherokee Nation.

Cicero Davis, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Cicero Davis.
Q How old are you? A I was born the last day of September, 1859.
Q What is your postoffice address? A Fawn, Indian Territory.
Q Are you a Cherokee by blood A Yes sir.
Q Where were you born? A In Georgia.
Q When did you first come to the Cherokee Nation? A It must have been in '80 as well as I can recollect, either in '80 or '81, I recollect Sam said I got here a little bit too late to draw the bread money. I believe they made that in '80.
Q You were admitted to citizenship were you not after you came to the Cherokee Nation? A I was admitted before I came. My father and all of us were admitted.
Q Where have you been making your home since you came to the Cherokee Nation? A No where else except here.
Q When you went to Colorado how long were you gone? A About 18 months.
Q Did you go out for your health? A I went out there for a job.
Q Did you ever exercise the right of suffrage out there while you were there? A No sir, never voted and don't own any property.
Q Is that the longest time you have been out of the territory since you came here? A Yes sir, I have never been out thirty days since that.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

C. A. Schlesinger

Subscribed and sworn to before me this 25th day of June, 1902.

D. K. Lewis

Notary Public.

D-1121

No.17.

John Davis, aged fifty eight years, born and raised in the state of Georgia, and comes into the Cherokee Nation in April 1871, and has a wife and eight children in Georgia, named as followes , Jane S. his wife, and children as follows, George A. Davis, aged twenty one years, Samuel Davis, nineteen years old, Susana Davis, seventeen years old, Daniel Davis, fifteen years old, Cicero Davis, thirteen years old, John Davis, six years old, Jane S. Davis, about four years old, Robert Davis, one year old:

Said John Davis claims that he and his children are of Cherokee blood, and wishes to establish his rights and that of his children to Cherokee Citizenship, and introduces John Martin as witness to prove their claims as such.

Cherokee Nation)
Tahlequah.)
) Personally comes before me, R. B. Daniel, Chief Justice of the Supreme Court, John Martin, and being duly sworn, desposeth and sayeth that he is well acquainted with the above claiment, John Davis, and that he is a Cherokee by blood by his mother and his children naturally follow as Cherokees.

John Martin,

Sworn to and subscribed before me this 2nd day of June 1871.

R. B. Daniel.
Chief Justice Supreme Court.

The above is satisfactory to me that John Davis and family are Cherokees.

R. B. Daniel,
C.J.S.C.

Executive Department,
Cherokee Nation,
Tahlequah, Ind. Ter.
Feb.28th,1901.

I, A. B. Cunningham, assistant Executive Secretary of the Cherokee Nation, do hereby certify that the above and foregoing is a true and correct transcript of number 17, of the Citizenship Docket of 1871, used by what is known as the"Bob Daniel" Court, Said Docket now being a part of the records of this office.

In testimony whereof I hereunto set my hand and seal of the Cherokee Nation this the 28th day of Feb.1901.

A. B. Cunningham,
Assistant Executive Secretary.

SEAL

I, Roy Palmer, as stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and complete copy of the original.

/Roy Palmer

Cherokee D 1121.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Cicero Davis as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on February 21,1901, Sidney Davis appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment, among others, of Cicero Davis as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 19,1902 and on June 19,1902. The other parties to the application are differently classified and are not embraced in this decision.

It appears from the evidence that the said Cicero Davis was recognized as a Cherokee, on June 2,1871, by the Chief Justice of the Supreme Court of the Cherokee Nation. The records of the Cherokee Nation in possession of this Commission show that the said Cicero Davis is identified on the 1883-1886-1890 and 1894 pay rolls of said Nation, and on the 1896 census roll of said Nation as a Cherokee by blood.

The evidence further shows that the said Cicero Davis came to the Cherokee Nation in 1880; that he has resided continuously in said Nation since that time, except for a brief trip to the State of Colorado, and that he was a resident of said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Cicero Davis should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this SEP 20 1902

HENRY L. DAWES
JAMES JIXBY
THOMAS B. NEEDLES
[illegible] KINNEY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING:
Cherokee D-1121

Muskogee, Indian Territory, February 28, 1902.

Mr. Cicero Davis,

Pawn, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the 19 day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with your certificate of readmission to the Cherokee citizenship.

Yours truly,

Commissioner in Charge.

Register.

Cherokee-D-1121

Muskogee , Indian Territory, June 7, 1902.

Mr. Cicero Davis,

Vawn, Indian Territory.

Dear Sir:

In the matter of the application for your enrollment as a citizen by blood of the Cherokee Nation, you are required to appear before the Commission at its office in Muskogee, Indian Territory, and give it further testimony in reference to your residence in the Cherokee Nation.

You will be allowed until June 17, 1902 to comply with this requirement, and you are advised that it is highly important to a proper adjudication of the application for your enrollment that you take action in the matter.

Yours truly,

Acting Chairman.

Secretary.

Cherokee D 1121.

Muskogee, Indian Territory, September 30, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Sidney Davis for the enrollment of Cicero Davis as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 118.

D - 1121.

Muskogee, Indian Territory, October 24, 1902.

Sidney Davis,

Pawn, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your husband, Cicero Davis, as a citizen, by blood, of the Cherokee Nation.

Respectfully,

Acting Chairman.

Enclosure C. No. 43.

Register.

Cher 9830

William Owen

Trans from D1152

Cher 9830

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

MAR 25 1904

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 28nd, 1901.

In the matter of the application of William Owen for enrollment as a Cherokee citizen: he being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A William Owen.
Q What is your age, Mr. Owen? A 33.
Q What is your postoffice address? A Muskogee.
Q What district do you reside in - do you reside in the Creek Nation? A Yes sir, I make this my postoffice.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Blood.
Q Whom do you desire to enroll? A Myself.
Q Is your name on the roll of 1880? A No sir, we were readmitted in '81.

The Cherokee authenticated roll of 1880 examined and the name of the applicant is not found of record thereon.

Q Have you any certificate of readmission? A Yes sir, Bob Owen has got it.

The Cherokee census roll of 1896 examined and the name of the applicant is found on page 56, No. 1520, as William Owens, in Canadian District.

Q How long have you lived in the Cherokee Nation since '81? A I moved in the Cherokee Nation in '85.
Q Where from? A Lynchburg, Virginia.
Q Been living in the Indian Territory continuously since '85?
A Yes sir.
Q How long have you lived in the Creek Nation? A Well, I made Muskogee my headquarters since '98. I came here in '98 and went to work for the government.
Q You have been living in the Creek Nation since '98 then? A Yes sir. I have always held property in the Cherokee Nation; my home is there; they recognize me there, and I voted there.
Q Have you ever voted in the Creek Nation? A No sir.

Commissioner Needles-

The name of William Owen is found upon the census roll of 1896. He applies for the enrollment of himself as a Cherokee citizen by blood. The records of the Cherokee Nation show that said William Owen was admitted to Cherokee citizenship by the Cherokee Council in the year 1881. Since 1898, according to his testimony, said William Owen has been residing in the Creek Nation. He is duly identified according to page and number of the roll as indicated in the testimony, but for the reason of the fact of his residence, final judgment as to the enrollment of said William Owen as a Cherokee citizen by blood will be suspended, and his name will be placed upon a doubtful card, simply from the fact of his present residence in the Creek Nation.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

Subscribed and sworn to before me this 28nd day of March, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 22 1901

Z 9118

Statement of Applicant Taken Under Oath. Creek No.

CHEROKEES BY BLOOD AND ADOPTION.

33
1 Name William Jones Date March 22, 1900.
Tinnie I.T.

District Can. Year 1896 Page 42 No. 1620

Citizen by blood yes Mother's citizenship

Intermarried citizen no

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Wd. on Card as William Jones

MAR 22 1901

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 27 1902

Supl.-C.D.#1152.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 20, 1902.

SUPPLEMENTAL in the matter of the enrollment of WILLIAM OWEN as a citizen of the Cherokee Nation:

The applicant was notified by registered letter March 1, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 20th day of March, 1902, Receipt has been acknowledged of Commission's letter, and the applicant this day, to-wit: the 20th day of March, 1902, appears in person.

The following entry appears of record on the Docket of the Cherokee Citizenship Commission for the years 1880 to 1884 inclusive, page 81:

COMMISSION ON CITIZENSHIP.
Tahlequah, C. N., Jan 26th, 1881.

Case.
78.

Alice Owen and children,)
Robt. Otway Owen,)
Jane Owen,)
William Owen,)
Charles Owen,)
Owen Owen, : Petition for Citizenship.
Alace Owen,)
)
vs.)
)
Cherokee Nation.)

The above case submited by both parties Jan 27th, 1881.

The above parties claim to be Cherokees by blood. The Testimony shows that Alice Owen is a native born Cherokee, a decendant of the noted Chisholm Family, and was educated and partly raised in Virginia. Married there, and is the mother of the children mentioned in petition, towit) Robt. Otway Owen, Jane Owen, William Owen, Charles Owen, Owen Owen, and Alace Owen.

The Commission therefore feel justified in making a decision in favor of the a ove named claimants admiting them to all the rights and privilage of Cherokee citizenship by blood.

Jan 31st, 1881.

Roach Young, President Com.
William Harnage)
G. W. Mayes) Asst. Com.

J. B. Mayes,
Clerk
Commission.

Commission: The applicant and representative of the Cherokee Nation present submit the case. The record in the same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, do hereby certify as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J O Rosson

Cherokee D 1152.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of William Owen for enrollment as a citizen by blood of the Cherokee Nation.

DECISION.

The record in this case shows that on March 22, 1901 William Owen appeared before the Commission at Muskogee, Indian Territory, and made application for his enrollment as a citizen by blood of the Cherokee Nation. Further proceedings were had in the matter of the said application at Muskogee, Indian Territory, on March 20, 1902.

The evidence shows that the said William Owen was admitted to citizenship in the Cherokee Nation by the duly constituted authorities of the said Nation, on January 31, 1881. He is identified on the Cherokee Census Roll of 1896.

The evidence further shows that the said William Owen has resided in the Indian Territory since 1885, and was residing therein at the date of this application.

It is, therefore, the opinion of this Commission that William Owen should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress June 28, 1898,(30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902



COMMISSIONERS:
HENRY L. DAWES
JAMES BIXBY
THOMAS B. NEEDLES
[illegible] BRECKINRIDGE
ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN REPLY REFER TO THE FOLLOWING:
Cherokee D-1152

Muskogee, Indian Territory, March 1, 1902.

Mr. William Owen,

Muskogee, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 20, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with your certificate of readmission to Cherokee citizenship.

Register.

Yours truly,

Acting Chairman
Commissioner in Charge.

Cherokee D 1152.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of William Owen for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 7.

Cherokee D 1152.

Muskogee, Indian Territory, October 27, 1902.

William Owen,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. NO. 44.

Cher 9831

John R. Harlin

Trans from D1154

Cher 9831

I. C. C. R.

The undersigned, [illegible] daily [illegible], [illegible] to the Commissioner [illegible] the United States, [illegible] the testimony [illegible] going is a full, [illegible] notes in the case.

Subscribed and [illegible]

[illegible]

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 22, 1901.

In the matter of the application of Ellis C. Harlin for the enrollment of himself, wife and children as Cherokee citizens: he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Ellis C. Harlin.
Q How old are you? A 27.
Q What is your postoffice? A Welch.
Q In what district do you live? A Cooweescoowee.
Q Do you want to apply for the enrollment of anybody else besides yourself? A Two children.
Q You haven't a wife? A Yes sir, we married since '95.
Q You can apply for her if you want to and put her in the record? A Yes.
Q You apply for yourself, wife and two children? A Yes sir.
Q Are you a Cherokee by blood? A Yes sir.
Q Your wife is a white woman, is she? A Yes sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Give me the name of your father. A James E.
Q Is he dead? A Living.
Q Give me the name of your mother. A Nannie.
Q Is she dead? A Living.
Q Give me the name of your wife? A Minnie B.
Q How old is she? A 23.
Q What was her name when you married her? A Ballard.
Q When were you married to her? A Married in '97.
Q Have you a certificate of your marriage? A Yes sir, not with me.
Q Were you ever married except to this wife? A No sir.
Q Was she ever married except to you? A No sir.
Q Where were you married? A Grove, I. T.
Q Give me the names of your children. A The oldest, John R. Harlin.
Q How old is that child? A Two years old.
Q Next child? A Nannie C. Harlin.
Q How old is that child? A Four months.
Q These children are both living now, are they? A Yes sir.

The Cherokee authenticated roll of 1880 examined and the name of the applicant is found on page 265, No. 1195, as George Ellis Harlin, in Delaware District.

The Cherokee census roll of 1896 examined and the name of the applicant is found on page 481, No. 1462, as Ellis Harlin, in Delaware District.

Commissioner Breckinridge-

The applicant applies for the enrollment of himself, his wife, and two children. He is identified on the rolls of 1880 and 1896 as a native Cherokee: He has lived in the Cherokee Nation all his life, and he will be listed for enrollment as a Cherokee by blood. He states that his wife was married to him in 1897, but is unable to produce a certificate of marriage at this time. In any event, the marriage is too late to entitle her to enrollment under Cherokee law, and the application for her enrollment is rejected. He states that neither he nor his wife were previously married. The two children, for whom application is made, are toeyoung to be upon any roll. Their names will now be placed upon a doubtful card to await proper certificates of their births and proof of marriage between the applicant and their mother.

2- E. C. H.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the testimony and proceedings in the above case, and that the foregoing is a full, true and correct transcript of his stenographic notes in said case.

Subscribed and sworn to before me this 22nd day of March, 1901.

Commissioner.

78 . [illegible]

IN RE

Application for Enrollment of

INFANT CHILD

John [illegible]

as a citizen of the

[illegible] Nation.

Approved [illegible] 1901

[illegible]
Commissioner.

Leader Printing Company

DEPA[illegible]

FILED
MAR 27 1901

[illegible]

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: Application for Enrollment, as a citizen of the Cherokee Nation,

of John R. Harlin (there insert name of child), born on the 20 day of May, 1898

Name of Father: Ellis C. Harlin, a citizen of the Cherokee Nation.

Name of Mother Minnie B. Harlin, a citizen of the Cherokee Nation

Postoffice Welch Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
Northern District,
Nation.

I, Minnie B Harlin, on oath state that I am 23 years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful wife of Ellis C Harlin, who is a citizen, by Birth, of the Cherokee Nation; that a Male (male or female) child was born to me on the 20 day of May, 1898; that said child has been named John Ridge Harlin, and is now living.

Minnie B. Harlin

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 25 day of Feb, 1901

J. M. Simms
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District,

I, Malinda Ballard, a Midwife, on oath state that I attended on Mrs. Minnie B Harlin, wife of Ellis Harlin, on the 20 day of May, 1898; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named John Ridge Harlin

her
Malinda Ballard
mark

WITNESSES TO MARK:

(Must be Two Witnesses)

Jesse Ballard

Ida Simms

Subscribed and sworn to before me this 25 day of Feb, 1901.

J. M. Simms
NOTARY PUBLIC.

On this fourth day of July, Eighteen hundred and ninety seven, I solemnized the matrimony of Mr.Ellis C. Harlin and Miss Minnie Ballard.
Greve Cherokee Nation, July 5th, '97.

A. Versavel,
Ordained minister of the Catholic Church at
Vinita, I.T.

Witnesses,
Emma Starr.
Ira Nuckalls.

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, Ind.Ter.? June 7, 1902.

I, the undersigned, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application of John R. and Mannie C. Harlin. D 1154.

A. C. Lich

Cherokee D 1154.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John R. and Nannie C. Harlin as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on March 23, 1901, Ellis C. Harlin appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment, among others, of his two minor children, John R. and Nannie C. Harlin, as citizens by blood of the Cherokee Nation. The other parties to the application are differently classified and are not embraced in this decision.

The evidence in this case shows that the said John R. and Nannie C. Harlin are the children of Ellis C. Harlin, a citizen by blood of the Cherokee Nation, duly identified on the authenticated tribal roll of 1880, and Minnie B. Harlin, his wife, to whom he was lawfully married on July 4, 1897. The said children are identified by birth affidavits on file with this Commission.

The evidence further shows that Ellis C. Harlin, the father of the above named children, has resided in the Cherokee Nation all his life, and was residing therein at the date of this application. The residence of the children is necessarily that of the father.

It is, therefore, the opinion of this Commission that John R. Harlin and Nannie C. Harlin should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this SEP 20 1902

Cherokee D 1154.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Ellis C. Harlin for the enrollment of his two minor children, John R. and Nannie C. Harlin, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 6.

Cherokee D 1154.

Muskogee, Indian Territory, October 27, 1902.

Ellis C. Harlin,

Welch, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your two minor children, John R. and Mannie C. Harlin as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 45.

Cher 9832

James W. Talley

Trans from D 1169

Cher 9832

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED
FILED
MAR 29 1901

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., MARCH 25th, 1901.

In the matter of the application of Sibud Tally for the enrollment of his wife, Jane and his child, James W. Tally, as citizens of the Cherokee Nation, said Tally being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Sibud Tally.
Q How old are you? A 29 now.
Q What is your post office address? A Fort Gibson.
Q What district do you live in? A Illinois.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q Who do you desire to have enrolled now? A My wife and that child.
Q What is the name of your wife? A Janie, she was a Lennels.
Q Is she a white person? A Yes, sir.

COM'R NEEDLES: -Applicant presents a marriage license and certificate ~~of~~ certifying that he was married on the 24th day of December, 1900, to one Miss Jane Lennels, a non-citizen.

Q What is the name of your child? A James W. Tally.
Q When was James W. Tally born? A 13th day of November, 1900? A Yes, sir.
Q That was before you were married? A Yes, sir.
Q Is the child living now? A Yes, sir.
Q You are Cherokee citizen by blood, are you? A Yes, sir.
Q Have you been enrolled by this Commission? A Yes, sir.

COM'R NEEDLES:--Applicant applies for the enrollment of his wife, Jane and his child, James W. Tally. He presents a certificate of marriage certifying that he was married on the 24th day of December, 1900, which is too late under the laws of the Cherokee Nation for intermarried citizens to acquire rights of citizenship, consequently the application for the enrollment of his wife, Jane, will be rejected.

He also applies for the enrollment of his child, James W. Tally. He avers that said child was born and makes satisfactory proof of the same, on the 13th day of November, 1900. It appears to have been before his marriage to his wife. Because of this fact, final judgment as to the enrollment of the said child, James W. Tally, will be suspended and its name will be placed upon a doubtful card.

---oOo---

J. C. Tosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 26th day of March, 1901.

Notary Public.

Commissioner.

B D1167

DEPARTMENT OF THE ...
COMMISSION TO THE FIVE ... ...ES

FILED
MAR 25 1901

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date 1900

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children

.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age
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.....	Dist.	Year	Page	No.	Age
.....	Dist.	Year	Page	No.	Age

17 a

COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

SEP 7th 1900

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
FORT GIBSON, I.T., AUGUST 22, 1900.

In the matter of the application of Sibud Talley for enrollment as a citizen of the Cherokee Nation, said Talley being sworn by Commissioner Breckinridge, testified as follows:

Q What is your name? A Sibud Talley.
Q Your age? A 28.
Q Your postoffice? A Fort Gibson.
Q Your district? A Illinois.
Q For whom do you apply for enrollment for? A Just myself.
Q You apply as a Cherokee by blood? A Yes.
Q How long have you lived in the Cherokee nation? A All my life.
Q Lived in Illinois district all your life? A Except four years lived in Canadian.
Q Where were you in '80? A Illinois district.
Q In '96 ? A Canadian.
Q What is the name of your father? A Jim.
Q Indian? A Yes.
Q Living or dead? A Dead.
Q How long has he been dead? A About 20 years.
Q What is the name of your mother? A Betty.
Q Indian or white woman? A Indian.
Q Living or dead? A Living?

On '80 roll, page 589, number 1896, as Sibad Tally.
On '96 roll, page 74, number 2039, as Sabren.

This applicant is identified on the rolls of '80 and '96. He has lived in the Cherokee nation all his life and he will be listed now for enrollment as a Cherokee by blood.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony of the above named witness, and the proceedings in this case, and that the foregoing is a full, true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 10th day of Sept. 1900.

Commissioner.

&1160

20

IN RE

Application for Enrollment of

INFANT CHILD

James W. Talley

as a citizen of the

Cherokee Nation.

Approved, FEB 5 1901 1901.

[illegible]

Commissioner.

DEPARTMENT OF THE [illegible]
COMMISSION TO THE FIVE CIV[illegible]BES.
FILED
MAR 25 1901

[illegible]

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of James H. Talley, born on the 12th day of December, 1900.
(Here insert name of child)

Name of Father: Silas Talley, a citizen of the Cherokee Nation.

Name of Mother: Jane Talley, a citizen of the United States Nation.

Post-office, Park Hill, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY }
Cherokee District. }

I, Jane Talley, on oath state that I am 27 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Silas Talley, who is a citizen, by Blood, of the Cherokee Nation; that a male child was born to me on the 12th day of December, 1900; that said child has been named James H. Talley, and is now living.

Jane X Talley
her mark

WITNESSES TO MARK

(Must be Two Witnesses) { Pete Ross
Ed Walsh

Subscribed and sworn to before me this 14th day of January, 1901.

My Commission expires Oct. 4th, 1903

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY }
Cherokee District. }

I, Augusta Jones, a Midwife, on oath state that I attended on Mrs. Jane Talley, wife of Silas Talley, on the 12th day of December, 1900; that there was born to her on said date a male child; that said child is now living and is said to have been named James H. Talley.

Augusta Jones
her mark

WITNESSES TO MARK

(Must be Two Witnesses) { Pete Ross
Ed Walsh

Subscribed and sworn to before me this 14th day of January, 1901.

My Commission expires Oct. 4th, 1903

NOTARY PUBLIC

Supl.-C.D.#1169.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 20, 1902.

SUPPLEMENTAL in the matter of the enrollment of JAMES W. TALLEY as a citizen of the Cherokee Nation:

The applicant's father, Sibud Talley, was notified by registered letter March 1st, 1902, that his application for the enrollment of [illegible] T/L FT, [illegible] Cherokee Nation [illegible] the Commission [illegible] on the 20th day of March, 1902. The [illegible] the 20th day of March, 1902, [illegible], I. T. Dismissed

Commission: The Act of [illegible] gives [illegible] intro-duces in evidence Section [illegible] of the [illegible] of the Cherokee Nation for the year [illegible] 348, and is as follows:

"Sec. 692. All marriages which are [illegible] on account of consanguinity between the parties, or on account of either of them having a former husband or wife then living, shall be absolutely void in this Nation without any judgment of divorce or other legal proceedings; Provided, that the issue from such unlawful marriage shall nevertheless be legitimate: Provided, also, that when a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, or proven to be his, shall thereupon be legitimate."

Commission: The Agent for the applicant and representative of the Cherokee Nation present submit the case. The record of the same is now deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

Supl.-C.D.#1169.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 20, 1902.

SUPPLEMENTAL in the matter of the enrollment of JAMES W. TALLEY as a citizen of the Cherokee Nation:

The applicant's father, Sibud Talley, was notified by registered letter March 1st, 1902, that his application for the enrollment of his child, JAMES W. TALLEY, as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 20th day of March, 1902. The applicant this day, to-wit: the 20th day of March, 1902, appears by his Agent, I. P. Bledsoe

Commission: The Agent for the applicant desires to introduce in evidence Section 692 of the compiled laws of the Cherokee Nation for the year 1892; said section appearing on page 346, and is as follows:

"Sec. 692. All marriages which are herein prohibited on account of consanguinity between the parties, or on account of either of them having a former husband or wife then living, shall be absolutely void in this Nation, without any judgment of divorce or other legal proceedings; provided, that the issue from such unlawful marriage shall nevertheless be legitimate; provided, also, that when a man, having by a woman one or more children, shall afterwards inermarry with such woman, such child or children, if recognized by him, or proven to be his, shall thereby be legitimate."

Commission: The Agent for the applicant and representative of the Cherokee Nation present submit the case. The record of the same is now deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the proceedings had this day, inthe above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson.

Cherokee D 1169

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of James W. Talley as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on March 25, 1901, Sibud Talley appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of his wife, Janie, as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his child James W. Talley as a citizen by blood of the Cherokee Nation. Further proceedings were had in the matter of said application on March 20, 1902, at Muskogee, Indian Territory. A copy of the testimony taken at Fort Gibson, Indian Territory, on August 22,1900, in the matter of the application of Sibud Talley has been filed herewith and made a part of the record herein. Janie Talley has been differently classified and is not embraced in this decision.

The evidence shows that James W. Talley is the child of Sibud Talley, a citizen by blood of the Cherokee Nation, duly identified on the authenticated tribal roll of 1880, and Janie Rennels, his wife. The said James W. Talley is identified by a birth affidavit on file with this Commission, and it appears therefrom that he was born on November 13, 1900. His said parents were lawfully married on December 24, 1900.

Section 692 of the Compiled Laws of the Cherokee Nation (1892) provides:

> " That when a man, having by a woman one or more children, shall afterwards intermarry with such man, such child or children, if recognized by him, or proven to be his, shall thereby be legitimate; . . . . . ."

The evidence shows that the said Sibud Talley recognizes the said James W. Talley as his child and makes application for his enrollment.

The evidence further shows that Sibud Talley, the father of the said James W. Talley has resided in the Cherokee Nation all his life, and that the said James W. Talley was living in the Cherokee Nation with his parents at the date of the application herein. The residence of James W. Talley is considered to be that of his father.

It is, therefore, the opinion of this Commission that James W. Talley should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner

Dated at Muskogee, I. T.
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
J. G. BRECKINRIDGE.

ALLISON L. AYLESWORTH, SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cherokee D-1139

Muskogee, Indian Territory, March 1, 1902.

Mr. Sibud Tally,

Fort Gibson, Indian Territory,

Sir:-

You are hereby notified that the application of James W. Tally

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 20, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Acting Chairman.
Commissioner in Charge.

Register.

Cherokee D 1169.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Sibud Talley for the enrollment of his child, James W. Talley, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 2.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY.
THOMAS B. NEEDLES
C. R. BRECKENRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D 1169.

Muskogee, Indian Territory, October 27, 1902.

Sibud Talley,

Fort Gibson, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your minor child, James W. Talley, as a citizen by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge.

Commissioner in Charge.

Register.

Enclosure H. No. 48.

COPY.

Cherokee D 1169.

Muskogee, Indian Territory, October 27, 1902.

I. D. Bledsoe,

Agent for James W. Talley,

Chouteau, Indian Territory.

Dear Sir:

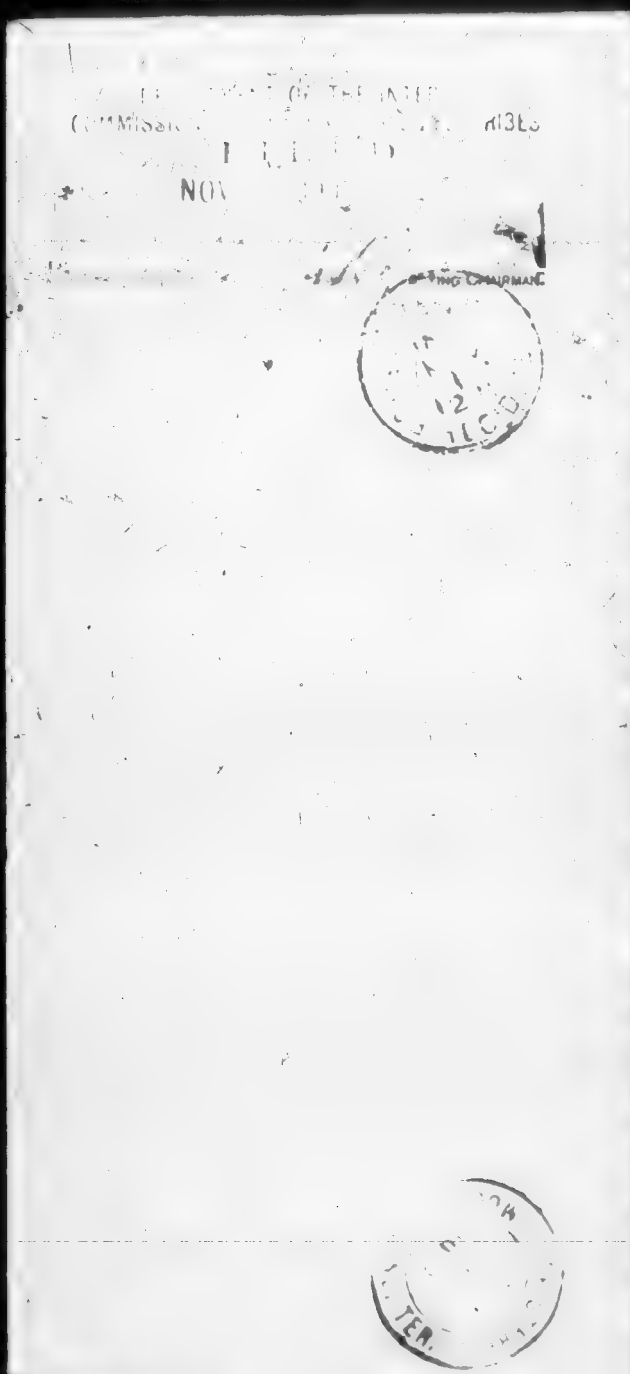
There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Sibud Talley for the enrollment of his minor child James W. Talley as a citizen by blood of the Cherokee Nation.

Respectfully,

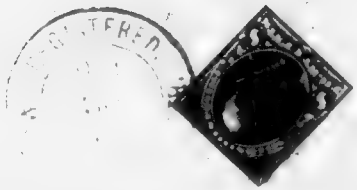
Commissioner in Charge.

Register.

Enclosure H. No. 49.



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS
Penalty for private use, $300.



Cher 9833

Emily Howard

Trans from 1174

Cher 9833

(C 19114

Chr 9832

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 29 1901

ACTING CHAIRMAN

9833

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., March 27,1901.

In the matter of the application of George F. Howard for the enrollment of his wife EMILY, and child, CORBETT, as Cherokees by blood, the following sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name? A George F. Howard.
Q How old are you? A I am thirty-one years old.
Q What is your postoffice? A Starilla.
Q Do you live in Canadian District? A Yes sir.
Q What is it you want to have enrolled, just yourself? A I want to have my wife and child enrolled.
Q And yours? A No, I am not a citizen of the Cherokee Nation.
Q Your wife and one child? A Yes sir.
Q You are white are you? A Yes sir.
Q Is your wife a Cherokee by blood? A Yes sir.
Q You married too late to be enrolled did you? A I married ~~xxxxxxxx~~ on the 25th of December, 1896.
Q Give me your wife's full name? A Emily Latta was her maiden name.
Q Now it is Mrs. Howard. A Yes sir.
Q How old is your wife? A My wife is 25 years old.
Q Give me the name of your wife's father? A Felix Latta.
Q Is he dead? A No sir.
Q Give me the name of your wife's mother? A I think her name was Delila Latta, I am not positive about that.
Q Is she dead? A Yes sir.
Q How long has your wife lived in the Cherokee Nation? A I guess she has lived here all her life, I don't positively know.
Q When did you marry her, you say? A I married her 25th of December, 1896.
Q Have you a certificate of marriage? A I have, but I started here with it and left it in the buggy at Checotah yesterday in the hurry to catch the train; I got license at Muskogee.
Q Give me the name of the child? A Corbett Howard.
Q How old is the child? A He will be 2 years old in June of this year.
Q He is living now is he? A Yes sir.

1880 Cherokee authenticated roll examined for applicant's wife, page 3 # #821 Emily Latta Canadian Dist, native Cherokee, three years of age;
1896 Cherokee census roll examined for applicant's wife, page 43, #1168 Emily Latta, Canadian District.

Q Have you any one here who knows that you and your wife are living together as husband and wife, anybody in the room? A I don't think there are; there's Jim Berry.
(Witness being called, states that he does not know)

Commissioner Breckinridge: The applicant applies for the enrollment of his wife and one child; his wife is identified under her maiden name on the rolls of 1880 and 1896; it appears that she has lived in the Cherokee Nation all her life, but no marriage has arisen from which she is not established at present, the applicant not having a copy of his marriage license and there being no personal testimony available to support his own declaration; she will be listed for enrollment as a Cherokee by blood, but upon a doubtful card to await a copy of the marriage license and certificate; when the Commission is supplied with a proper certificate of birth of the child, who is too young to be upon any roll, then this child

Geo F Howard for wife and child 2

Corbett Howard, will also be listed with his mother upon a doubtful card as a Cherokee by blood.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this March 28, 1901.

C. R. Breckinridge

Commissioner.

B 19 1174

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
MAR 27 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date MAR 27 1901 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

C. 9833 R 1174

20

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of

Nation.

Approved, 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 6 1901

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

of Parkell Howard, born on the 24th day of June, 1899.
(Here insert name of child)

Name of Father: George L. Howard, a citizen of the Cherokee Nation.

Name of Mother: Emily J. Howard, a citizen of the Cherokee Nation.

Post-office, Stanley, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, } District.

I, Emily J. Howard, on oath state that I am 25 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of George L. Howard, who is a citizen, by Marriage, of the Cherokee Nation, that a Male (male or female) child was born to me on the 24th day of June 1899, that said child has been named Parkell Howard, and is now living.

Emily J. Howard

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 1st *day of* April *1901.*

J. P. Marshall
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, } District.

I, S. W. Gulledge, a Doctor, on oath state that I attended on Mrs. Emily Howard, wife of George L. Howard on the 24th day of June, 1899, that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Parkell Howard.

S. W. Gulledge M.D.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 1st *day of* April *1901.*

NOTARY PUBLIC

Ltr. D1174

20

IN RE

Application for Enrollment of

INFANT CHILD

Pearl Howard

as a citizen of

Cherokee Nation.

Approved, JUL 8 1901, 190

T. B. Needles

Commissioner.

FILED

JUL 8 1901

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

of Pearl Howard, born on the 19 day of May, 1901

Name of Father Geo. F. Howard, a citizen of the Cherokee Nation.

Name of Mother Emily Howard, a citizen of the Cherokee Nation.

Post-office, Starilla Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Emily Howard, on oath state that I am 35 years of age and a citizen, by Birth and Intermarriage of the Cherokee Nation; that I am the lawful wife of Geo. F. Howard, who is a citizen, by Intermarriage of the Cherokee Nation; that a female child was born to me on the 19 day of May, 1901; that said child has been named Pearl Howard, and is now living.

WITNESSES TO MARK
(Must be Two Witnesses)
J. L. Upshaw
W. C. Upshaw

her
Emily X Howard
mark

Subscribed and sworn to before me this 24 day of May, 1901.

A. F. Harmer
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, W. W. Gulledge, a Physician, on oath state that I attended on Mrs. Emily Howard, wife of Geo. F. Howard, on the 19 day of May, 1901; that there was born to her on said date a female child; that said child is now living and is said to have been named Pearl Howard.

WITNESSES TO MARK

W. W. Gulledge M.D.

Subscribed and sworn to before me this 27 day of June, 1901.

A. F. Harmer
NOTARY PUBLIC.

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District. } ss.

I, JAMES A. WINSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed in my office the 2 day of January 1897, at M., and duly recorded in Book 6, Marriage Record, Page 74.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 2 day of January A. D. 1897

Jas. A. Winston Clerk.

By Deputy.

CERTIFICATE OF RECORD.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District. } ss.

I, JAMES A. WENSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed in my office the 2 day of January 1897, at M., and duly recorded in Book C, Marriage Record, Page 7[illegible].

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this 2 day of January A. D. 1897

James A. Wenston Clerk.

By Deputy.

CERTIFICATE OF TRUE COPY.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District. } ss:

I, CHAS. A. DUNCAN, Clerk of the United States Court in and for the District of Indian Territory, and ex-officio Recorder of said District, do hereby certify that the foregoing is a full, true and correct copy of Marriage License recorded in Book E page 371 of Miscellaneous Appointment records of said District.

WITNESS my hand and official seal at Purcell, in said District, this 24 day of June A. D. 1907.

Chas. A. Duncan
Clerk and Ex-Officio Recorder.

By ..... Deputy Clerk.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

No. 131

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGE, GREETING:

You are Hereby Commanded ... Rites of Matrimony between Mr. Geo. T. Harrison of Checotah ... 21 years, and Miss Emma Lotta of Checotah I.T. ... 21 years, according to law, and ... the persons above named.

WITNESS my official signature and ... Indian Territory, this 24 day of December A.D. 1896

Seal

J. C. Woods
Clerk U.S. Court.

By ... Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, Isaac McClanahan, ... Minister of the Gospel, ... 24 day of December ... A.D. 1896 ... joined in ... matrimony ... December ... A.D. 1896

... McClanahan

Cherokee D 1174.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Emily Howard and her minor children, Corbett and Pearl Howard, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on March 27, 1901, George F. Howard appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of his wife, Emily Howard, and his child, Corbett Howard, as citizens by blood of the Cherokee Nation. On July 8, 1901, there was filed with the Commission a birth affidavit for Pearl Howard.

The evidence shows that the said Emily Howard is identified on the authenticated tribal roll of 1880 and on the Cherokee Census roll of 1896, under her maiden name, as a Cherokee by blood. The above named children are the issue of a marriage between the said Emily Howard and George F. Howard on December 25, 1896. The said children are too young to be on any roll but they are identified by birth affidavits on file with this Commission.

The evidence further shows that the said Emily Howard has resided in the Cherokee Nation all her life, and that she and her said children were residents of the Cherokee Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Emily Howard, Corbett Howard and Pearl Howard should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28, 1898, (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this ____

Cherokee D 1174.

Muskogee, Indian Territory, September 24, 1902.

W. V. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of George F. Howard for the enrollment of his wife, Emily Howard, and his two minor children, Corbett and Pearl Howard, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 3.

COPY. Cherokee D 1174.

Muskogee, Indian Territory, October 27, 1902.

George F. Howard,

Starvilla, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Emily Howard and your two minor children, Corbett and Pearl Howard as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 47.

Cher 9834

Cher 9834

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAR 29 1901

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., MARCH 28th, 1901.

In the matter of the application of Taylor Rowe for the enrollment of himself, wife and child, as citizens of the Cherokee Nation; said Rowe being sworn and examined by Commissioner C. R. Breckinridge, testified as follows, through Interpreter Simon E. Walkingstick:

Q Give your name these please? A Taylor Rowe.
Q How old are you? A 24 years old.
Q What is your post office? A Locust Grove.
Q In what district do you live? A Saline.
Q How long have you lived in the Cherokee Nation, all your life?
A All my life.
Q Who is it you want to have enrolled, just yourself? A Myself, wife and one child.
Q Are you a Cherokee by blood? A Yes, sir.
Q Claim to be a full blood? A Yes, sir.
Q Is your wife a Cherokee by blood? A Yes, sir, she is Cherokee.
Q Is she a full blood? A Yes, sir.
Q Have you lived in the Cherokee Nation all your life?
A Yes, sir.
Q Give me the name of your father? A Stand Rowe.
Q Is he dead? A Yes, sir, he is dead.
Q Give me the name of your mother? A Nancy Rowe.
Q Is she dead? A Yes, sir; she is dead.
Q Give me the name of your wife? A Nellie Rowe.
Q How old is she? A 23 years old.
Q When did you marry her? A We have been married about three years.
Q Has she lived in the Cherokee Nation all her life? A Yes, sir.
Q Give me the name of her father? A Henry Downing.
Q Is he alive? A No, sir, he is dead.
Q Give me the name of your wife's mother? A He does not remember.
Q Is she dead? A Yes, sir.
Q Give me the name of your child? A Neda.
Q How old is the child? A Five months old.
Q The child is living now is it? A Yes, sir.
Q Anybody here who knows that you and this woman have been living together as husband and wife? A Yes, sir, the man who just applied.

JACK BALKW, being called as a witness and having been sworn, testified as follows:

Q How old are you? A 21.
Q What is your post office? A Locust Grove.
Q In what district do you live? A Saline.
Q How long have you lived in the Cherokee Nation? A All my life
Q Do you know this applicant here, Taylor Rowe? A Yes, sir.
Q Do you know his wife? A Yes.
Q What is her name? A Nellie Rowe.
Q What was her name when she married him? A I could not tell you.
Q You don't know her father? A No.
Q You never heard her name before she was a Rowe? A They called her Nellie Clay and some of them called her Nellie Fodder.
Q You never heard her called Nellie Downing? A No, sir.
Q Is she a full blood woman? A Yes, sir.
Q How long have you known his wife? A About three years.
Q Just since they have been married? A No, I knowed her a little before they got married.
Q Where did she live before they got married? A She staid up on the River there close to the Saline Court House.
Q Did she live with her own folks? A Yes, sir.

Q Whom did she live with? A I don't know their names.
Q They were full blood people were they? A Yes, sir.
Q You don't know anything about where they were born? A No, sir
Q They called her Clay and also Fodder? A Yes, sir, I don't know that's her name, that's what they called her before she was married.

Tribal Rolls of the Cherokee Nation examined and applicant's name found thereon as follows:
1880 Authenticated roll, page 656, #874, Taylor Rowe, Saline District.
1896 Census Roll, page 1016, #966, Taylor Rowe, Saline District.

TAYLOR ROWE, the applicant, re-called, testified as follows:

Q Do you remember the mother's name now, your wife's mother's name? A Yes, sir.
Q What was her Cherokee name? A Echewa.
Q Did your wife have a brother or sister? A He don't know.

1880 Authenticated Roll examined and applicant's wife and parents' names identified thereon as follows:
Page 750, #524, Nelly Downing, Tahlequah District.
Page 750, #522, Henry Downing, Tahlequah District.
Page 750, #523, Cheyalnernee Downing, Tahlequah District.

Q Was your wife ever married before she married you? A Yes, sir.
Q Whom was she married to? A Sam Lacey. He is not positive about the first name of this man Lacey, he says it might be Tom, one of the Lacey boys though.
Q Has she any children except this child of yours? A No, sir, she has had but they died.
Q Do you remember the names of these children that she had?
A No, sir, he don't know the names.
Q Do you know anything about Dave Downing? A No, sir.

(Com'r to Roll Clerk: Look for this woman Nellie Clay or Fodder? No, sir, I do not find neither one of these names.)

COM'R BRECKINRIDGE:--The applicant applies for the enrollment of himself, his wife and one child: He is identified on the rolls of 1880 and 1896 as a native Cherokee. He has lived in the Cherokee Nation all his life. He claims to be a full blood and he will now be listed for enrollment as a Cherokee by blood.

He states that his wife is also a full blood and the fact of her marriage to him is established by his own and other satisfactory personal testimony. Both he and the additional witness as set forth in the record, state that his wife is a full blood Cherokee, and he claims that she has lived in the Cherokee Nation all her life. It appears that she has gone under various names, Downing, Clay, Fodder, etc. She is somewhat doubtfully identified upon the roll of 1880 and can not be at all identified upon the roll of 1896. While it is believed from the character of the testimony that this woman is a full blood Cherokee, yet the record is too doubtful at this time to be satisfactory, and she will be listed for enrollment as a Cherokee by blood on a doubtful card, and the applicant is told to appear before the Commission at one of its appointments and bring his wife or someone else who can give a satisfactory account of her history and enrollment.

Taylor Rowe, et al.--3.

When the applicant supplies the Commission with a certificate of the birth of the infant child, Neda, it also will be listed for enrollment as a Cherokee by blood on the doubtful card with its mother.

---oooOOOooo---

J. O. Rosson, being first duly s orn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the t estimony and proceedings in this case, and that the foregoing is a true and complete t ranscript of his stenographic notes thereof.

J O Rosson

Subscribed and sworn to before me this 28th day of March, 1901.

~~Commissioner.~~

M D Green

Notary Public.

13

DEPARTMENT OF THE [illegible]
COMMISSION TO THE FIVE C[illegible] BES.

FILED
MAR 27 1901

[signature]
ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date ..... 1899.

Name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

20

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of

Nation

Approved, ... 190 .

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 7 1901

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Vella Rowe, born on the 16th day of Dec, 1900

(Here insert name of child)

Name of Father: Jaylor Rowe, a citizen of the Cherokee Nation.

Name of Mother: Lillie Rowe, a citizen of the Cherokee Nation.

Post-office, Project City, N.M.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Lillie Rowe, on oath state that I am 25 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Jaylor Rowe, who is a citizen, by blood, of the Cherokee Nation, that a female (male or female) child was born to me on the 16th day of Dec. 1900; that said child has been named Vella Rowe, and is now living.

Lillie Rowe.

WITNESSES TO MARK

(Must be two Witnesses)

Subscribed and sworn to before me this 26th day of Oct. 1901.

H. C. Ross
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Bettie Murphy, Midwife, on oath state that I attended on Mrs. Lillie Rowe, wife of Jaylor Rowe, on the 16 day of Dec. 1900 that there was born to her on said date a female (male or female) child, that said child is now living and is said to have been named Vella Rowe.

Bettie Murphy

WITNESSES TO MARK

(Must be two Witnesses)

Subscribed and sworn to before me this 24 day of Oct. 1901.

H. C. Ross
NOTARY PUBLIC

Com. Exp. 4 to 1902

Cherokee D 1176.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Nellie Rowe and her minor child Neda Rowe as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on March 28, 1901, Taylor Rowe appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of himself, his wife Nellie Rowe and his child Neda Rowe as citizens by blood of the Cherokee Nation. Taylor Rowe has been differently classified and is not embraced in this decision.

An examination of the Cherokee tribal rolls, in the possession of this Commission shows that the said Nellie Rowe is identified on the authenticated tribal roll of 1880, under the name of Nelly Downing, as a Native Cherokee, five years old. Neda Rowe is the issue of a marriage between the said Nellie and Taylor Rowe in 1897, and she is identified by a birth affidavit on file with this Commission.

The evidence further shows that the said Nellie Rowe has lived in the Cherokee Nation all her life. Neda Rowe is living with her parents in the Cherokee Nation and her residence is therefore considered to be that of her parents.

It is, therefore, the opinion of this Commission that Nellie Rowe and her minor child Neda Rowe should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, I.T.

this SEP 20 1902

COPY

Cherokee D 1176.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Taylor Rowe for the enrollment of his wife, Nellie Rowe, and his minor child, Neda Rowe, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 10.

COPY. Cherokee D 1176.

Muskogee, Indian Territory, October 27, 1902.

Taylor Rowe,

Locust Grove, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your wife, Nellie Rowe and your minor child, Neda Rowe as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 41.

Cher 9835

Louvenia Latty

Cher 9835

Cherokee by blood.

Department of the Interior.
Commission to the Five Civilized Tribes.
Ft. Gibson, I. T., April 24, 1901.

In the matter of the application of Louvenia Latty for the enrollment of herself and four children as Cherokee citizens; she being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Louvenia Latty.
Q How old are you? A 30 years old.
Q What is your postoffice? A Gritts.
Q In what district do you live? A Canadian District.
Q Do you want to be enrolled as a Cherokee by blood? A Yes sir, that is the way; I have been enrolled allthe time; yes sir, Cherokee by blood.
Q You want to enroll anybody besides yourself? A My children.
Q How many children? A Four children.
Q And that is all is it; yourself and four children? A Yes sir; I have a niece;
Q Is she an orphan? A Her mother's living, but she couldn't get on the roll.
Q Has the niece been applied for? A Yes sir.
Q Her application is made and you can't renew it? A Yes sir.
Q You can give additional testimony if you wish to? A Yes sir.
Q Have you a husband? A He's been dead three years.
Q Now it is just yourself and four children you want to apply for? A Yes sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Give me the name of your father. A Jim Johnson.
Q Is he dead? A Yes sir.
Q About how long has he been dead? A He's been dead a long time; I don't know how long.
Q Since you were a little child? A Yes sir.
Q Give me the name of your mother. A Mary Winters.
Q Winters was her name before she married your father? A Yes sir.
Q Is your mother dead? A Yes sir.
Q How long has she been dead? A Nine years.
Q You have been married how many times? A Once.
Q To whom were you married? A Joe Latty.
Q You say he's dead? A Yes sir, he's been dead three years.
Q Was he a Cherokee citizen? A He was an adopted citizen.
Q Adopted through you? A Yes sir, his name was put down on the Freedman Roll.
Q He was a Cherokee Freedman was he? A Yes sir, his name went on with them.
Q Was he a Cherokee Freedman in fact, or was he a Cherokee by blood? A He was kind of an adopted citizen.
Q How old was Joe Latty when he died? A I couldn't exactly tell how old.
Q Was he older than you? A Yes sir, he's older.
Q How much older than you? A As near as I know he must be something over twenty years; he's along about 45 as near as I know about it.
Q About when were you married to Joe Latty? A 14 years ago last August.
Q You were never married except to him? A No sir.
Q Have you married since he died? A No sir.
Q And you and he lived together until he died, did you? A Yes sir.
Q Give me the names of your children? A Mary J. Latty.
Q How old is that child? A 13 years old.
Q Give me the name of the next child? A Rachel Latty.
Q How old is that child? A 11 years old.
Q Give me the name of the next child? A Betsy Latty.
Q How old is that child? A 8 years old.
Q Give me the name of the next child? A Fannie Latty.
Q How old is that child? A Four years old.
Q Have you ever been admitted to any of the rolls of the Cherokee Nation? A I have been to everyone but this one.
Q Have you a certificate of your marriage to your husband, Latty? A No sir.
Q Is there anyone here who knows you and he lived together as husband and wife? A Nobody around here.

Q None of your neighbors here? A No sir, John Drew married us.
Q But none of your neighbors are in the house this morning? A No sir.
Q Did you go by the name of Johnson in your childhood? A Yes sir.
Q Your mother married after your father's death, did she? A Yes sir.
Q What was her name after that remarriage? A Burr.
Q Do you remember when she married her husband Burr? ANo sir, I was small.
Q You may have been enrolled as Burr? A I may have been.
Q Give me the full name of your stepfather? A Aaron Burr.
Q Did you or any of your people ever apply for admission to Cherokee citizenship to the Dawes Commission? A I aint had but one brother.
Q I didn't ask you about your brother; have you ever applied? A No sir.
Q What district were you in in your childhood? A A while I was in Canadian District and in Illinois District.
Q Spent your childhood in those two districts? A Yes sir.
Q Mary Burr was your mother? A Yes sir.

The 1880 authenticated roll of the citizens of the Cherokee Nation examined and the name of the applicant not found thereon.

The applicant's mother is found on said roll as follows:
Page 509, No. 351, Mary Barr, Illinois District.
(Note:- Enrolled in '83 as Mary Lane.)

Q You recognized that Mary Barr as your mother? A Yes sir.
Q And you recognize the different members of the family who have been called off there? A Yes sir.
Q Is Aaron Burr dead? A Yes sir.
Q Did your mother ever carry the name of Lane? A She married a man by the name of Lane after Burr died.
Q She married Lane after Burr died? A Yes sir.
Q They didn't live together very long? A She lived quite a while, and then she married Lane.
Q She married Lane when you were very young? A Yes sir.
Q You can't remember when she married Burr? A No sir.
Q Were you called by any other name except Louvenia? A They hardly ever called me that; they always called me "Sis."
Q Did you live with your mother all through your childhood? A Yes sir.
Q Nobody else brought you up? A No sir.
Q You remember an Aaron Barr, Jr., was that a half brother of yours? A Yes sir, half brother of mine.
Q Do you remember Andrew Barr? A Yes sir.
Q Was he a half brother of yours? A Yes sir.
Q Do you remember Franklin Barr? A Yes sir, he was my stepbrother.
Q Do you know a person named Willis D. Oxford? A No sir.
Q Never heard of such a person? A No sir.
Q Did you ever hear of a person named Frank Reynolds? ANo sir.
Q Myra Dickey? A No sir.
Q Christian Monroe, Maggie Head or W. D. Oxford? A No sir.
Q There is a Lavinia Johnson who was in a case before the Dawes Commission, Case No. 3042, you don't think that can be you? A No sir.
Q You say you have a brother? A Yes sir.
Q A full brother? A No sir, they are just half brothers.
Q You have no full brothers? A No sir, just no one but myself; I got no full brothers.
Q Well, your mother, she has daughters besides yourself? A No sir.
Q Hasn't she any sons? A Yes sir, she's got two.
Q What are their names? A Aaron Burr.
Q That's a son born of your stepfather? A Yes sir.
Q The next son's name? A Andy Burr.
Q Is he younger than Aaron? A Yes sir, he is the youngest.
Q How comes it that you are not on the roll of 1880? A I don't

3- L. L.

know.

Q Can you prove that you are the daughter of this Mary Winters or Mary Burr? A Yes sir, I don't know whether there is anybody around here.

Q Can't you bring somebody here? A Dr. Burke knows me.

Q Where does he live? A Webbers Falls.

Q What is his name? A Dr. Otto Burke.

Q Did he know you in your childhood? A Yes sir.

Q How old a man is Dr. Burke? A I don't know.

Q Is he fifty? A Yes, sir.

Q You have him come and testify in your case? A Yes sir.

Q Did you draw Cherokee strip money? A Yes sir, and old settlers too. I drawed every time they drawed.

The 1896 census roll of the citizens of the Cherokee Nation examined and the names of the applicants are found thereon as follows:

Page 42, No. 1151, Louvinia Latta, Canadian District.
Page 42, No. 1152, Mary J. Latta, Canadian District.
Page 42, No. 1153, Rachel Latta, Canadian District.
Page 42, No. 1154, Betsey Latta, Canadian District.
Page 42, No. 1155, Fannie Latta, Canadian District.

The 1894 Pay Roll of the citizens of the Cherokee Nation examined and the names of the applicants are found thereon as follows:

Page 61, No. 1294, Luvenna Latty, Canadian District.
Page 61, No. 1295, Mary Latty, Canadian District.
Page 61, No. 1296, Rachael Latty, Canadian District.

Q Betsy and Maud are the same? A Yes sir.

Q What is her name? A Her name is Betsy, they call her Maud.

Q But her actual name is Betsy? A Yes sir.

Q Maud is a nickname? A Yes sir.

Page 61, No. 1297, Maud Latty, Canadian District.

Q These children all living now? A Yes sir.

Q Your husband was a Freedman? A Yes sir, he went on with the Freedman.

Q He never went on the Cherokee roll? A No sir.

Q Did he claim to be a Cherokee by blood? A He claimed it but they never proved it up.

The applicant applies for the enrollment of herself and four children. The applicant is not identified on the roll of 1880, but her deceased mother is identified on that roll, and the applicant is identified under her married name on the rolls of 1894 and 1896; she states that she has lived in the Cherokee Nation all her life; her mother is identified as a Cherokee by blood, and the applicant is identified on the roll of 1896 as a Cherokee by blood. She will now be listed for enrollment as a Cherokee by blood on a doubtful card to await proof that she is the daughter of Mary Burr, as her alleged mother appears on the roll of 1880, and also proof of her marriage as alleged by her to Joe Latty, now deceased. Of the four children named in the testimony, Mary J., Rachel, and Betsy Latty are duly identified on the rolls of 1894 and 1896; the latter child was sometimes called Maud, but its proper name is Betsy; these four children are now living and will be listed for enrollment as Cherokees by blood on a doubtful card with their mother to await the proof required in her case. The youngest child, Fannie Latty, is duly identified on the roll of 1896; this child is now living and will also be listed for enrollment as a Cherokee by blood on a doubtful card with its mother to await the proof required in her case.

4- L. L.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a full, true and correcttranscript of his stenographic notes thereof.

Subscribed and sworn to before me this 25th day of April, 1901.

Commissioner.

DEPARTMENT OF THE
COMMISSION TO THE FIVE C BES
FILED.
APR 24 1901

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Canadian

Date April 24, 1901 1906.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Canadian 6 Year 1901 Page 442 No. 1151

Citizen by blood Yes Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Canadian	Year 1896	Page 117	No. 1152	Age 13
Dist. Canadian	Year 1896	Page 117	No. 1153	Age 11
Dist. Canadian	Year 1896	Page 117	No. 1154	Age 8
Dist. Canadian	Year 1896	Page 117	No. 1155	Age 4
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

Not Proof of marriage required

FILED

Cherokees.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson,I.T., September 25, 1901.

In the matter of the application of Louvenia Latty et al. for enrollment as Cherokee citizens.

Supplemental testimony on behalf of applicant.

Appearances:
Applicant present in person;
W. W. Hastings, Cherokee Representative.

BENJAMIN FRANKLIN BURR, being duly sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Benjamin Franklin Burr.
Q How old are you? A 40.
Q What is your postoffice address? A Gritts.
Q Are you a Cherokee citizen? A Yes, sir.
Q By blood? A Yes, sir.
Q Do you know the applicant, Louvenia Latty? A Yes, sir.
Q You know her mother? A Yes, sir.
Q Who was her mother? A Her name was Mary Winters, said her name was.
Q Did she ever go by the name of Mary Burr.
Q Well that was her name, Mary Winters, and she went by the name of Mary Burr.
Q Explain that? A Mary Winters was her maiden name I reckon and her and my father lived together ten or 12 years and she went by the name of Burr.
Q Your father was her husband? A Yes, sir.
Q Is Mary Burr living? A Yes, sir.
Q How do you know the applicant to be a daughter of Mary Burr? A She was always acknowledged to be that, I didn't know her when she was right little, I guess she must have been six or eight months old when I first seed her, but the old lady always acknowledged her as being her daughter.
Q Is she married now, the applicant? A No, sir.
Q Was she ever married? A I reckon so.
Q Who to? A A fellow named Joe Latty.
Q Her maiden name that was Louvenia Burr? A Johnson.
Q How did her maiden name happen to be Johnson if her mother's name was Burr? A Her mother had been married I reckon maybe twice, before her and my father lived together.
Q This applicant's father, what was this applicant's father named? A I didn't know him, Johnson I reckon, I heard her speak of him but I never saw him that I know of.
Mr. Hastings: What name did this applicant go by from her infancy up until her marriage? A Johnson.
Q Louvenia Johnson? A Yes, sir.
Commissioner: Do you know a child of Mary Burr's named Aaron? A Yes, sir.
Q Is he living? A Yes, sir, he was a short time ago.
Q Was he older than Louvenia here or younger? A No, sir, he was younger.
Q Is Andrew younger or older than Louvenia? A He is younger.
Q Is Louvenia the oldest child? A Yes, sir, the oldest of the three.
Q You know Franklin? A Yes, sir, that is myself.
Q You are a half brother then to Louvenia: what relation are you? A She is my stepsister.
Q Did Louvenia's mother ever go by the name of Lane? A I don't know; her and my father separated in about '82 and I think maybe she married a fellow named Lane then, I heard of him, never saw him.
Q Was the applicant, Louvenia, there living with your father and

stepmother? A Yes, sir.
Q She was in the family? A Yes, sir, she was with the family all the time I saw her.
Q Do you know the reason her name is not on the roll of 1880 as well as the other children? A No, sir, I wasn't at home when they enrolled in the year of 1880.
Mr. Hastings: Her mother then was your stepmother? A Yes, sir; I don't reckon they were ever married, if they were married I don't know it, but then they lived together ten or twelve years.
Q Have you lived near her from her infancy up until she was married? A This woman, yes, sir.
Q Do you know that she lived with her mother up until she married? A Yes, sir.
Q And that in the Cherokee Nation? A Yes, sir.
Q What district? A Lived in Canadian part of the time and Illinois part of the time.
Q In one of these districts all the time; she lived in one or the other of the districts up until she married? A No, my father lived some time in Cooweescoowee district, I don't know how many years he lived there, and then went to Canadian and from there to Sequoyah and then went in Illinois district and then they came back to Canadian after her mother and my father separated.
Q How long has she been married to Latty? A I don't know.
Q Was she ever married but the one time? A Not that I know of.
Q Well she has been married as much as twenty years then, or has she? A No, sir.

LOUVENIA LATTY, being duly sworn and examined by Commissioner Needles, testified as follows:
Q Is your husband, Joe Latty, living? A No, sir.
Q He was a freedman was he? A I don't know whether he was or not, I don't know whether he went in on the Cherokee roll or not.
Q How many children have you? A Four.
Q You had them enrolled when you were enrolled? A Yes, sir.
Q Are they all living now? A Yes, sir.
Q They were living at the time they were enrolled, were they? A Yes, sir.
Q Have you any proof of marriage to your husband, Joe Latty? A I have none but John Drew up here.
Q Where is he? A He lives up here.
Q What do you mean by up here? A I say John Drew is all the proof I have.
Q Where is John Drew? A I say I can hunt him up.
Q Where does he live? A He lives up here.

Commission: This testimony will be filed in the case.

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Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 27th of September, 1901.

J. R. Needles

Commissioner.

Supl.-C.D.#1183.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 21, 1902.

SUPPLEMENTAL in the matter of the enrollment of LOUVENIA LATTY, ET AL., as citizens of the Cherokee Nation:

The applicant in this case was notified by registered letter March 1, 1902, that her application for the enrollment of herself and others as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 21st day of March, 1902, and that on said date she could appear before the Commission either in person or by attorney when an opportyntiy would begiven her to introduce any additional testimony affecting her application. The applicant has this day, to-wit: the 21st day of March, 1902, been called and failing to respond either in person or by attorney, the case is deemed completed and will be reported to the commission for final decision based upon the evidence now of record.

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I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civiliz d Tribes that I correctly recorded the proceedings above, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson.

J 1193

...MISSION TO ... TRIBES.
FILED
JUN 4 1909

D-1183.

Department of the Interior,
Commission to the Five Civilized Tribes,
Stilwell, I. T., May 9, 1902.

In the matter of the application of Louvenia Latty for the enrollment of herself and children as citizens of the Cherokee Nation.

Applicant present in person; Cherokee Nation by W. W. Hastings.

Applicant in this case was notified by registered letter May 1, 1902, that she would at any time prior to the 20th day of May, 1902, be permitted to introduce further testimony as regards her right to be enrolled as a citizen of thethe Cherokee Nation.

D. H. Burke, being sworn and examined as a witness in this case, on behalf of the applicant, testified as follows:
Q What is your name? A D. H. Burke.
Q How old are you? A I will be 52 next September.
Q What is your postoffice addres? A McLain now.
Q Are you acquainted with the applicant here, Louvenia Latty? A I am.
Q How long have you known her? A Ever since the summer of 1878.
Q Where was she living when you first became acquainted with her? A She was then living in Sequoyah District near Sallisaw, it was Sweet Town when I first got acquainted with her.
Q What is the name of her father? A I don't know. she was in the family of her mother. Aaron Burr I knew, [redacted] Lou Burr, She was then about eight or nine or ten years old.
Q Did you know any of her brothers or sisters? A I knew them all. She had no sisters, I knew her brother Aaron Burr who was younger than she and Andy Burr.
Q Did they have the same father and mother? A I didn't know then, I have been told since that her name was [redacted] Johnson; at that time I didn't know the difference.
Q Did Aaron Burr and the applicant have the same mother? A That is my understanding, she recognized the one we now know as Louvenia Latty as her child, then about eight or nine or ten years old and Aaron Burr was at that time three or four years old.
Q Did you know the applicant's hus and? A Yes sir, Joe Latty, he is dead.
Q When did she marry him? A I couldn't say positively; I was living in the country at Webbers Falls and it has been something like 12 or 14 years ago or 15 years I ago; I couldn't tell exactly the date not knowing a out it at the time. I know of her having lived there as man and wife with him and had children during his life time.
Q Where has the applicant been living ever since you have known her? A She was living in Sequoyah when I first knew her.
Q How old was she? A Between eight and ten years of age.
Q Have you known her continuously since that time? A I have known her and known of her. I moved to Canadian District after that and her stepfather moved from Sequoyah to Illinois District near what is known as Vian, that was in Canadian District; I knew of the family being there all the time. She and her mother, after Burr abandoned the family, came to the Webbers Falls bottom.
Q About when? A That was about '86. It might have been '87 or '88 when they came there. I couldn't say positively as to the year; I think it was about that, she was about grown.
Q About when was she married to Joe Latty? A About the second year after coming to Webbers Falls bottom. The first or second year, it might have been the first year afterwards.
Q Have you always known her by the name of Lou Burr or Siss Burr? A I never knew her until since she was placed on the doubtful roll at Fort Gibson. I never knew her by any other name until she married Latty. I never knew her name to be Johnson only since that time.
Q How old is Aaron Burr her brother A He is about, I think three or four years younger than she is. The difference in the size of the two children when this Andy Burr was an infant two years or less of age, Aaron was something like two years old.

The 1880 authenticated roll of the Cherokee Nation examined and the name of Mary Burr is found in Illinois District on page 509, No. 251.
Q Has this woman always lived in the Cherokee Nation since you have known her? A Yes sir, she has never been out that I know of.
Q Do you know whether or not her mother was Mary Burr? A That was my understanding; her mother recognized her as her daughter, called her daughter and she raised her from the time I knew her at eight or ten years of age on. I treated this woman to a spell of sickness when she and Joe Latty were first married and the mother was there as her mother and she was always called her mother and accepted her as her daughter.
Q Did you ever hear the applicant called Johnson? A Never until the enrollment at Fort Gibson; she herself told me that her father's name was Johnson and she should be enrolled as Louvenia Johnson so she told me.

John Coleman, being sworn and examined as a witness in this case, testified as follows:
Q What is your name? A John Coleman.
Q How old are you? A About 77.
Q Are you acquainted with the applicaht in this case, Louvenia Latty? A Yes sir.
Q Have you known her ever since she was a child? A Yes sir.
Q Where was she living when you first learned to know her? A I expect she must have been ten or twelve years old; she was over here; I knowed her mother too.
Q When was the applicant living when you learned to know her, what part of the Cherokee Nation was she living when you first met her? A In Canadian.
Q Did she continue to reside there up until the present time, have you known her ever since then? A Yes sir.
Q Has she ever been outside of the nation since that time? A No sir.
Q Did you know her father? A No sir.
Q Did you know her mother? A Yes sir, I knowed her ever since she was about 12 or 13 years old.
Q What was her mother's name? A Mary.
Q What was her father's name? A They called him John Winters, Mary's father.
Q Was Mary a Cherokee? A Yes sir.
Q You don't know who the father of the applicant is do you? A No sir.
Q Have you ever heard this applicant's right to enrollment disputed prior to this time? A No sir.
Q Was her mother a recognized citizen? A Yes sir.
Q Has she always lived in the Cherokee Nation? A I knowed Mary's mother too.
Q Was Mary's mother a Cherokee? A Yes sir, her name was Jennie Sanders.

Sallie Muskrat, being sworn and examined as a witness in this case, testified as follows through duly sworn interpreter John Coleman:
Q What is your name? A Sallie Muskrat.
Q About how old are you? A I don't know, I expect I am about fifty or over.
Q Do you know Louvenia Latty? A Yes sir.
Q How long have you known her? A I couldn't tell how many years back. I wasabout that high (indicating) when they lived close by.
Q Did you know Louvenia Latty's mother? A Yes sir, knowed her.
Q What was her name, was she ever known as Mary? A Yes sir.
Q Did you know her as Mary Winters? A I knowed her, we growed up together all the time.
Q Was her mother a Cherokee? A Yes sir, she was a Cherokee.
Q The applicant has been living here in the Cherokee Nation ever

since you first learned to know her has she? A Yes, she has been here.
By W. W. Hastings: Did her mother afterwards marry Aaron Burr? A Yes.
Q You know yourself that was her mother? A Yes.

Franklin Burr, being sworn, and examined as a witness in this case, testified as follows:
By W. W. Hastings: What is your name? A Franklin Burr.
Q Your age? A 42.
Q What is your postoffice? A Gritts.
Q You testified in this case before? A Yes sir.
Q You know this applicant Louvenia Latty? A Yes sir.
Q Is she older than you? A No sir, she is not older than I am.
Q She is not your half sister then? A No sir.
Q Your father was married before he married her mother? A Yes sir.
Q How much older are you than she? A I expect about eight years older than she is.
Q Do you know that your father's second wife Mary, was her mother? A No sir, I don't know only what she says. She nursed the child at her breast.
Q Have you any reason to doubt it, you hesitated some before, have you any reason to doubt that? A No sir.
Q Did you ever hear it disputed? A No sir, the reason why I hesitated you told me to swear the truth and nothing but the truth but I was telling it to the best of my knowledge. I don't know this thing.
Q You are eight years older than this woman? A Aboutthat much older.
Q She is your step-sister? A She was recognized as my step-sister. My father and her mother never were married: they just lived together as man and wife.
Q This Mary Burr, who lived with your father and recognized as your father's second wife, is her mother so far as you know? A Yes sir.
Q You never heard it disputed? A No sir.
Q Always recognized as her mother? A Yes sir.
Q According to your statement you were seven or eight years old when this child was born? A Something like that, seven or eight years old when she was born, I reckon; she was a child at the breast when I first knew her when my father and her mother went together. She was born before she come to,my father's. She was born when they come together.
Q About what age was the applicant when your father and her mother began living together and when you first knew her? A Three or four months old I reckon, nursing at her mother's breast, Mary.
Q You have no reason in the world to doubt that this applicant is the child of Mary Burr? A No sir, no reason to doubt it at all.
Q Where was this applicant in 1880? A She was in Illinois District, I suppose. Her folks lived there and I wasn't at the house myself. I was either out some where tending to stock or something. I don't know why she aint on the '80 roll.
Q Has she ever been out of the Cherokee Nation since that time? A No sir.
Q Have you known her continuously from that time up to the present? A Know of her, she has been in this country all the time.
Q You have known of her? A Yes sir, continuously ever since.

4—Louvenia Latty et al.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings inthis case, and that the foregoing is a true and correct transcript of his stenographic notesthereof.

Subscribed and sworn to before me this 23rd day of May, 1902.

Notary Public.

1 1

Cherokee D 1183

4 14

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Louvenia Latty for the enrollment of herself and her four minor children, Mary J., Rachel, Betsy and Fannie Latty as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on April 24, 1901, Louvenia Latty appeared before the Commission at Fort Gibson, Indian Territory, and made application for the enrollment of herself and her four minor children, Mary J., Rachel, Betsy and Fannie Latty as citizens by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Fort Gibson, Indian Territory on September 25, 1901, and at Stilwell, Indian Territory, on May 9, 1902.

The evidence shows that the said Louvenia Latty is the daughter of one Mary Burr, a citizen by blood of the Cherokee Nation, who is duly identified on the authenticated tribal roll of 1880. The name of Louvenia Latty does not appear on the roll of 1880, but on examination of the tribal rolls, in the possession of this Commission, it appears that the said Louvenia Latty is identified on the Strip payment roll of 1894, and on the Cherokee Census roll of 1896 as a native Cherokee. The above named children are the issue of a marriage between said Louvenia Latty and Joe Latty in 1887. All of said children are identified on the Cherokee Census roll of 1896, and on examination of the Strip payment roll of 1894, it appears that Mary J. Rachel and Betsy Latty are identified thereon.

The evidence further shows that the said Louvenia Latty has resided in the Cherokee Nation all her life; that she and her children were residents of said Nation at the date of the application herein.

It is, therefore, the opinion of this Commission that Louvenia Latty, Mary J. Latty, Rachel Latty, Betsy Latty and Fannie Latty should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, I. T.

this 24 1902

JOR Cherokee 9835

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE.

Tahlequah, I. T. June 7, 1905.

In the matter of the application of Louvenia Latty for the enrollment of herself and children Mary J., Rachel, Betsy and Fannie Latty, as citizens by blood of the Cherokee Nation.

RACHEL JONES, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Rachel Jones.
Q How old are you? A 14
Q What is your postoffice? A Braggs, I. T.
Q You are a Cherokee by blood? A Yes sir.
Q What is the name of your mother? A Louvenia Latty.
Q You have an older sister named Mary J. Latty? A Yes sir.
Q You have married since you were enrolled? A Yes sir.
Q What is the name of your husband? A Levi Jones.
Q This is he is it? A Yes sir.
Q He states that he is s metimes known as John Levi Jones? A Yes sir.
Q When were you married? A The last of this month last year.
Q June the 30th, 1904? A Yes sir.
Q You and he are living to ether now? A Yes sir.

Clinton W Myers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the supplemental testimony in this case and that the foregoing is a true and complete transcript of his stenographic notes taken therein.

Clinton W. Myers

Subscribed and sworn to before me
this the 30th day of June, 1905.

Samuel Foreman
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cherokee D-1183

Muskogee, Indian Territory, March 1, 1902.

Mrs. Louvenia Latty,

Crittenden, Indian Territory.

Madam:

You are hereby notified that the application of yourself and your four minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 21, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, as you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Commissioner in Charge.

Register

Cherokee D 1183.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Louvenia Latty for the enrollment of herself and her four minor children, Mary E., Rachel, Betsy and Fannie Latty, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 11.

Cherokee D 1183.

Muskogee, Indian Territory, October 27, 1902.

Louvenia Latty,

Gritts, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself and your four minor children, Mary J., Rachel, Betsy and Fannie Latty as citizens by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge.

Commissioner in Charge.

Register.

Enclosure H. No. 40.

(217)

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY.
THOMAS B. NEEDLES
C. R. BRECKINRIDGE
ALLEN L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D 1183.

Muskogee, Indian Territory, October 27, 1902.

Louvenia Latty,
Gritts, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself and your four minor children, Mary J., Rachel, Betsy and Fannie Latty as citizens by blood of the Cherokee Nation.

Respectfully,

C. R. Breckinridge

Commissioner in Charge.

Register.

Enclosure H. No. 40.

REFER IN REPLY TO THE FOLLOWING

Cherokee
9835

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, August 7, 1906

Rachel Jones,

Braggs, Indian Territory.

Dear Madam:

On June 7, 1905, your testimony was taken at Tahlequah, Indian Territory, showing your marriage on June 30, 1904, to Levi, or John Levi Jones.

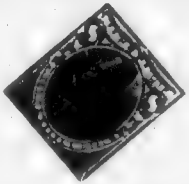
You are requested to advise this office by return mail whether or not your said husband is a citizen of the Cherokee Nation, and if so, the name by which application was made for his enrollment as such, the names of his parents, and such other information as will enable this office to identify him upon its records.

Please return this letter with your reply.

Respectfully,

Acting Commissioner

L M B



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS
Penalty for private use, $300.

Department of the Interior.

MUSKOGEE IND. TER.

Rachel Jones,

[illegible], Indian Territory.

Cher 9836

George Garrett

Trans. from D1201

Cher 9836

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 29 1900

ACTING CHAIRMAN

[illegible] Carrell

[illegible] D. Gr[illegible] being first duly sworn, states that [illegible] ner, or to the [illegible] commission to [illegible] Civilized Tribes and that the foregoing is [illegible] true and [illegible] copy [illegible] notes thereof

M D Green

[illegible] r 1910.

C W Shuler

[illegible] Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 29 1900

ACTING CHAIRMAN

DELAWARE

Statement of Applicant Taken Under Oath

CHEROKEES BY BLOOD AND ADOPTION.

Date SEP 29 1900 1900.

Name

District DELAWARE Year 1894 Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age
Dist.	Year	Page	No.	Age

COMMISSIONERS
HENRY L. DAWES
JAMES BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Motion denied to see Court or if Admitted; judgment

stated.

Docket D 1201

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 28 1901

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Vinita, I.T. 10/24-01

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Lee Daniel for enrollment as citizens of the Cherokee Nation.

Mollie Daniel
Attorney for applicant

No. 1121

Q How long ago has it been since
he first left the Cherokee Nation?
A Six [illegible]. Well as near as I can
remember, continuously from [illegible]
Yes sir.
Q He never was back to the Nation
since not [illegible]

MR. BAKER: I desire to offer
Shawnee-Cherokee Agreement entered
[illegible] representing the Cherokee
authorized [illegible] to represent
in it or not to [illegible] appeal [illegible]
[illegible] agreement:
[illegible]

BY COM'R MEDILL: This will be [illegible]

BY MR. SMITH: I desire this testimony [illegible] the following cases: Cherokee D-458; Cherokee [illegible]; Cherokee [illegible] D-1201.

BY COM'R MEDILL: As requested by applicant's attorney copies of this testimony will be filed in the cases named.

* * * * * * * * *

Chas. von Leiba, being first duly sworn states that he stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the [illegible] full, true and correct transcript

Subscribed and sworn to before me [illegible]

File with George Garrett, Cherokee doubtful 1901.

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T. October 23rd, 1901.

In the matter of the application of Frederick Garrett, Cherokee Card D-495. SUPPLEMENTAL TESTIONY ON THE PART OF THE APPLICANT.

Appearances:
J. L. Baugh for the Cherokee Nation.
Mellette & Smith for the applicants.

FREDERICK GARRETT being first duly sworn by Com'r T.-B. Needles, testifies as follows.

(By Mr. Smith) State your name? A Frederick Garrett.
Q Are you the applicant in this case? A Yes sir.
Q You have testified in the case before? A Yes sir.
Q Before the Commission when you made your application? A Yes sir.
Q Do you remember what year it was that you returned to the Cherokee Nation after your father took you out when you were A boy? A I think it was either '85 or '87.
Q To what place did you return? A To the old home place.
Q Did you have any property on that place at that time? A An interest in some cattle.
Q How many cattle? A 143 head.
Q What did you do with these cattle? A I have part of them yet.
Q Did you ever vote anywheres except in the Cherokee Nation? A No sir
Q Ever held office anywheres except in the Cherokee Nation? A No sir.
Q Ever sit on juries anywheres except in the Cherokee Nation? A No sir.
Q Have you ever voted in the Cherokee Nation? A Yes sir.
Q Ever have any permits issued to you by the Cherokee Nation? A Yes sir.
Q Where did you have the permits? A You mean where were they issued from?
Q Yes sir. A From the Clerk's office.
Q What clerk? A Mr Hastings was clerk when I got some of them.
Q What Hastings? A I dont know his first name.
Q Clerk of what district? A Delaware district.
Q Have you a brother named George Garrett? A Yes sir.
Q When did he come back to the Cherokee Nation after your father took him out? A I dont remember just when it was, he was here 2 or 3 years before I came.
Q He was here when you came? A Yes sir.
Q Have you a brother named Robert L.? A Yes sir.
Q When did he come back? A Same year I did, just before I did.
Q Have you a sister named Mary? A Yes sir.
Q When did she return? A When Robert did.
Q What you a sister named Elizabeth? A Yes sir.
Q When did she return? A Same time the others did, just before I did.
Q Were your brothers Robert and George recognized in the same way that you were? A Yes sir, I think so, I never heard anything different.
Q I believe you stated in your original examination here that you had property here in the Cherokee Nation during the time you were our? A I had an undivided interest in the cattle was all.
Q Does your name appear on the Shawnee roll of 779 persons which was made out in accordance with the treaty of 1869? A I think it does.

BY MR. SMITH: If the Court please I would like to have the Shawnee rolls examined and that part thereof which mentions the name of this applicant, made a part of this record.

BY COM'R NEEDLES: Comes the applicant and presents the Register of the names of the members of the Shawnee Tribe of Indians who

have moved to and located in the Cherokee Nation, Indian Territory (prior to the 10th day of June 1871) within two years from the 9th day of June 1869 in accordance with an agreement entered into by and betw en the Shawnee tribe of Indians and the Cherokee Nation of Indians through their Delegations in Washington D. C., United States of America on the 7th day of June 1869 and approved by the President of the United States on the 9th day of June 1869 in accordance with the Fifteenth Article of the Cherokee treaty ~~af~~ with the United States proclaimed August the 11th 1866, and calls the attention of the Commission to the fact that on said rolls at #381 is found the name of Frederick Garrett. Said rolls being a printed list in the possession of the Cherokee Representatives and the said rolls being certified to by Lewis Downing Principal Chief of the Cherokee Nation and by Graham Rogers, Late Principal Chief of the Shawnee Tribe of Indians and by Charles Tucker, Late Asst. Principal Chief of the Shawnee Tribe of Indians.

Applicant also calls the attention of the Commission to th fact that at numbers 377 is found the name of Samuel Garrett; at #378 is found the name of Richard Garrett; at #379 is found the name of Geo. Garrett; at #380 is found the name of Robert L. Garrett; and at #383 is found the name of Mary Garrett.

(By Smith of applicant)

Q What is the fact as to your sister-Elizabeth Garrett, what is the fact as to her returning coming here with you originally ? A She came with my father and the rest of the family.
Q She came here with your father? A Yes sir and kept house for him at the time.

(By Mr. Baugh)

Q How old was you when you returned from Kansas to the Cherokee Nation after you had left here? A About 26 years old.
Q Did you go to the Cherokee National Council and ask to be re-admitted to citizenship? A No sir.

J. C. WILLIAMSON being first duly sworn ~~as~~ as above before Com'r T.B.Needles, testified as follows for applicant.

(By Smith)

Q What is your name? A J. C. Williamson.
Q Where do you live? A Briejacket
Q What is your age? A 53.
Q Are you a citizen of the Cherokee Nation? A I dont know that I am
Q You dont know? A (No answer)
Q How long have you lived in the Cherokee Nation? A Since September 1870.
Q What is your occupation? A Farming and stock raising.
Q Where did you come from to the Cherokee Nation? A Johnson County Kansas.
Q With whom did you come? A I came by myself but I had George W. Franklin's household goods and moving machine with me.
Q Is he a Shawnee citizen? A Yes sir.
Q Did you come as one? A No sir.
Q Did you marry a Shawnee citizen afterwards? A Yes sir.
Q Do you know this man Frederick Garrett? A Yes sir.
Q Do you know his father? A Yes sir.
Q What is his father's name? A Samuel.
Q Do you know his brothers and sisters? A Yes sir.
Q Can you name them? A Richard, Elizabeth, Fred Robert, Mary and George.
Q Were they all the children of Samuel Garrett? A He claimed them to be his.
Q Did he bring them here with him when he came? A I didn't see them enroute but I saw them all on the Neosho river where he was living with his family.
Q When was that? A I am not positive if I saw them in '70 but I know

I saw them in '71, I know they were there in '71, and I think I saw them in '70; I stopped there in '71.
Q Did you know Samuel Garrett before he came to the Cherokee Nation?
A Yes sir.
Q What was he? A A farmer.
Q Was he a Shawnee? A Yes sir.
Q An adopted Shawnee? A Yes sir.
Q And he came here when the Shawnees came? A Yes sir.
Q Did you know Frederick Garrett who has just left the stand here?
A Yes sir.
Q Is he the same Frederick Garrett that you knew and who was brought here by his father and whose name is on the Shawnee rolls? A Yes sir
Q And these brothers and sisters that you have named, do you know them as the brothers and sisters of Frederick? A Yes sir, I knew them when they came here.
Q Do you know anything about where Samuel Garrett lived when he lived here in '70 or '71? A Yes sir
Q Where? A On the Chetopa and Carrie Ferry road on Fox creek near Neosho river in Delaware district Cherokee Nation.
Q With his family? A Yes sir.
Q These are the same people that you stopped with in '70 or 71? A Yes sir.
Q Did he improve a place there? A Yes sir.
Q In what way? A Built a house, fenced it and broke out a farm.
Q How long did the old man Samuel Garrett live there before he left that place, as well as you recollect? A As well as I recollect he left there in the fall of '75 or '6.
Q Did he take Frederick back with him? A I think he took Frederick with him, he left two of the boys.
Q Which two did he leave? A I think Richard and George.
Q Do you know what disposition was made of the place ~~XXXX~~ when old man Garrett left there that time? A Yes sir.
Q What? A I rented the place.
Q How long did you have it rented? A I lived on the place as well as I remember about 18 months.
Q What property, if any, did these people leave upon that place? A He left somewhere about 80 head of cattle, cook stove and a bed and bead tead, I think some house furniture, some plows,
Q About 80 head of cattle, some household goods and some farming implements? A Yes sir.
Q Was the old man Samuel Garrett ever back of the place after you rented it from him? A He was there back on the place every few months I cant call how often.
Q He had property there? A Yes sir.
Q Do you know of his voting in the Cherokee Nation after he left the place and went to Johnson County Kansas? A Nothing more than that he stopped with ~~him~~ me.
Q Voted? A Oh voted, yes sir.
Q In the Cherokee Nation? A Yes sir,
Q Do you know if he had property interests in Johnson county Kansas A Yes sir I know he owned a farm there when I was there and he owned quite a ~~S~~ract of land near Montecello Kansas, I dont know now how much of a farm he did have there.
Q After he left this place, at the time he rented it to you, do you know of him voting anywhere else except in the Cherokee Nation? A No sir.
Q Do you know of his holding himself out as a citizen of anywheres else except in the Cherokee Nation? A No sir.
Q Do you know of his receiving permits in the Cherokee Nation after he rented that place to you? A Not direct.
Q Did he ever come back to live on the place after that? A Not that I know of.
Q Do you know when he died? A I know when he died but can't call the date now.
Q About how long ago? A Either in-'90 or 91

Q Do you know this applicant Frederick Garrett? A Yes sir.
Q Do you remember when he came back to the Cherokee Nation? A I remember about his return,but I dont remember what year.
Q Do you know if some of this property you spoke of was on the place when Frederick got back? A I do not.
Q Were there any cattle on the place? A I think there was some cattle still on the place.

(By Baugh)

Q You say that you know old man Garrett voted in the Cherokee Nation? A He came down there and went into the polls, that was after he came down from Chetopa, after he had moved up there.
Q Who did he vote for? A I disremember now.
Q You dont know if he voted or not do you? A I dont know if he did, he went into vote, I was not an officer at the polls and dont know if he cast his vote.
Q How long ago has it been since he moved to Kansas? A You mean when he first left the Cherokee Nation?
Q Yes sir A Well as near as I can remember it was in about '75.
Q He lived continuously from that time until his death in Kansas? A Yes sir.
Q He never came back to the Cherokee Nation to live after that? A No sir not as I know of.

BY MR. BAUGH: I desire to offer in evidence a part of the Shawnee-Cherokee Agreement entered into between the duly authorized delegates representing the Cherokee Nation of Indians,and the duly authorized delegates representing the Shawnee tribe of Indians, and in order to make specil reference to it will read a part of said agreement:

" That all of said Shawnees who shall elect to avail themselves of the provisions of this agreement,shall register their names,and permanently locate in the Cherokee country,as herein provided: within two years from the date hereof, otherwise they shall forfeit all rights under this agreement. "

I desire to further call the attention of the Commission to Article 1.,Section 2 of the Constitution of the Cherokee Nation .

= = = = = = = = = =

BY COM'R Needles: This will be filed in Cherokee Doubtful case D-495.

BY MR. SMITH: I desire this testimony also to be filed in the following cases: Cherokee D-458; Cherokee D-490; Cherokee D-856 and Cherokee D-1201.

BY COM'R NEEDLES: As requested by applicant's attorney copies of this testimony will be filed in the cases named.

* * * * * * * * *

Chas. von Weise, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above caused and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

Chas. von Weise

Subscribed and sworn to before me this the 25th of October, 1901.

C. R. Needles

Commissioner.

"R"

D 1201

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 1, 1902.

In the matter of the application of George Garrett, for the enrollment of himself as a citizen of the Cherokee Nation:

The applicant and his attorneys were notified by registered letter February 14, 1902, that the application of George Garrett, for the enrollment of himself as a citizen of the Cherokee Nation, would be taken up by the Commission for final decision ~~xx~~ at its offices in Muskogee, Indian Territory, on the 1st day of March, 1902.

Receipt has been acknowledged of the Commission's letter, and the applicant this day appears by his attorneys Mellette & Smith.

The attorneys for the applicant and the representative of the Cherokee Nation present, submit this case, and the same is ordered closed, and reported to the Commission for final decision based upon the evidence now of record.

The attorneys for the applicants request and will be granted fifteen days in which to file a brief in this case, one copy to be filed with the Commission, and one copy with the representatives of the Cherokee Nation.

Commissioner.

Cherokee D 1201.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of George Garrett for enrollment as a Cherokee citizen of Shawnee blood.

Muskogee, Indian Territory, June 27, 1902.

SUPPLEMENTAL STATEMENT.

An examination of the records of the Cherokee Nation, in the possession of this Commission, shows that George Garrett is identified on a certain register of names, at Number 379 on said register, as one of those who located in the Cherokee Nation under the terms of a treaty concluded between the Cherokee Nation and the Shawnee Tribe of Indians on June 7, 1869 and approved by the President of the United States on June 9, 1869.

It is directed that copies of this statement be filed with the testimony in the above case.

_____

Commissioner.

Before the Commission to the Five Civilized Tribes
in the matter of the application of George Garrett
C.D. No. 1201.

The applicant George Garrett is a
Brother of Frederick Garrett whose case is fully
briefed in number C.D. 495.

The Garrett family are Shawnee Indians by blood and are duly enrolled as such on the roll of seven hundred and seventy two (772) names made in the Cherokee and Shawnee Agreement of 1869; and the only point in the case of these people is the contention of the Cherokee Nation that they forfeited their citizenship by residing for a time out of the Cherokee Nation; that this question is wholly briefed in the question of Frederick Garrett C.D. Number 495, this case is submitted upon the brief in the case of the said Frederick Garrett C.D. Number 495.

Respectfully submitted,

Frederick L. Smith

Cherokee D 1201.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of George Garrett for enrollment as a Cherokee citizen of Shawnee blood.

D E C I S I O N.

--oOo--.

The record in this case shows that on September 29, 1900, George Garrett appeared before the Commission at Vinita, Indian Territory, and made application for his enrollment as a Cherokee citizen of Shawnee blood.

The evidence shows that the said George Garrett is a Shawnee Indian and is identified on a certain register of names as one of those who located in the Cherokee Nation under the terms of a treaty concluded between the Cherokee Nation and the Shawnee tribe of Indians on June 7, 1869 and approved by the President of the United States on June 9, 1869. He is not identified on the authenticated tribal roll of 1880, but the evidence shows that he has resided in the Cherokee Nation since 1871, and he is identified on the Cherokee Census roll of 1890 and the Shawnee pay roll of 1896.

The evidence further shows that the said George Garrett was residing in the Cherokee Nation at the date of this application.

It is, therefore, the opinion of the Commission that George Garrett should be enrolled as a Cherokee citizen of Shawnee blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, I. T.

this 5 [illegible]

COMMISSIONERS:
HENRY L. DAWES.
TAMS BIXBY
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 14, 1902.

Mr. George Garrett,

Chetopa, Kansas,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the first day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Copy to Mellette & Smith,
Vinita, I.T.

Cherokee D-1201
Register.

Acting Chairman

Commissioner in Charge.

Cherokee D 1201.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of George Garrett for the enrollment of himself as a Cherokee citizen of Shawnee blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 12.

Cherokee D 1201.

Muskogee, Indian Territory, October 27, 1902.

Edgar Smith,

Attorney for George Garrett,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of George Garrett for the enrollment of himself as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 39.

Cherokee D 1201.

Muskogee, Indian Territory, October 27, 1902.

George Garrett,

Chetopa, Kansas.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen of the Cherokee Nation by Shawnee blood.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 38.

Cher 9837

Susan V. Kearns

Cher 9837

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 17 1900

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
NOWATA, I.T., OCTOBER 17th, 1900.

IN THE MATTER OF THE APPLICATION OF Susan V. Kearns for the enrollment of herself and children as citizens of the Cherokee Nation, and she being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Susan V. Kearns.
Q How old are you? A Twenty six.
Q What is your Post office? A Watova.
Q In what district do you live? A Cooweescoowee /
Q Who is it you want to have put on the rolls; yourself and family?
A Yes sir; myself and two children.
Q Any husband? A I have a husband; yes sir.
Q You do not apply for him? A No sir; he is white.
Q You are not living with him? A Yes sir.
Q He has not married you according to Cherokee law? A No sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Give me the name of your father? A Andy J. Miller.
Q Cherokee or white man? A Cherokee.
Q Is he dead or living? A He is living.
Q Give me the name of your mother? A Martha J. Reynolds.
Q Is she dead or living? A She is living.
Q Is she a Cherokee? A No sir.
Q White woman? A Yes sir.
Q When were you married to this husband? A No response.

The applicant presents an illegible certificate of marriage, showing that ~~Wesley~~ Wesley N. Kearns and Susan McCauley were united in marriage August 21st, 1899, at Independence, Kansas, by H. D. Perry; Probate Clerk. This document is returned to the applicant.

Q When you married your husband, you were a McCauley? A Yes sir.
Q When did you marry your husband, McCauley? A In 1891.
Q Is he living or dead? A Dead.

The applicant presents a marriage license dated August 18th, 1891, authorizing marriage between Susan McCauley and W. C. McCauley: It is issued by the Clerk of Cooweescoowee District, and the certificate shows that they were united in marriage on the 20th of August, 1891, by the Reverend William Adams. This identified the applicant at that time, and is filed herewith.

Q He was a white man, was he? A Yes sir.
Q Now give me the names of your children please?
A Eva A. Reynolds.
Q Were you married to a man named Reynolds? A No sir.
Q You have been married only to these two husbands? A Yes sir.
Q Is this child your own child? A Yes sir.
Q How old is that child? A She is nine years old. I guess she is just eight; she will be nine her next birth day.
Q She is not the child of your marriage with McCauley?
A No sir.
Q Give me the name of the next child? A Bertha McCauley.
Q How old is that child? A Five years old.
Q Are these children both living now? A Yes sir; I have another one too.
Q You want to apply for another child? A Yes sir.
Q What is the name of the next child? A Ruth Jane Kearnes.
Q How old is that child? A Ten months old.
Q These children are all living now, are they? A Yes sir.
Q Were your father and mother living in 1880? A Yes sir.
Q And living here in the Cherokee Nation? A Yes sir.
Q And you have never lived any where else? A No sir.
Q Whom were you enrolled with in 1880? A With Jane Sullivan, my mother.
Q Have you ever had your name traced up on the roll of 1880? A
A I do not know whether I ever did or not.

Q Your mother was known as Martha J. Miller at that time?
A Yes sir.
Q Was your father dead in 1880? A No sir.
Q Was your mother separated from him? A yes sir.
Q And she had married a man named Sullivan? had she? A Yes sir.
Q George Sullivan? A yes sir.
Q Did you draw strip money in 1894? A Yes sir.
Q Under what name did you draw strip money? A McCauley.
Q What is the "V" in your name for? A Victoria.
Q Did you separate from your husband, McCauley? A No sir., my husband died.
Q He was a white man? A Yes sir.

The applicant applies for the enrollment of herself and three children: She claims to be a native of the Cherokee Nation, and to have lived in the Cherokee Nation all of her life: She can not be identified on the roll of 1880, or the roll of 1894, or the roll of 1896: She states that she was refused enrollment by the Cherokee authorities, in 1896, because they could not identify her on the roll of 1880. The two older children given in the testimony are of an age to be on the roll of 1896, but they are not identified there. A careful search has been made under every variation of name suggested by the applicant, and no trace can be found of her, or of her parents, or of any evidence of her ever having been accepted by the authorities of the Cherokee Nation: Therefore, this Commission is not deemed to have any jurisdiction over these applicants, and only a memorandum will be made of the applicant and her three children: She is desired to file proof of birth of the child, Rutha J. Kearnes, whom she states is a child of her present marriage, in order that her list may be complete: If she desires this memorandum reported to the Secretary of the Interior, it will be done upon the receipt of a written request to that effect.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before me this 17th day of October, 1900.

COMMISSIONER.

Attn 732 13

DEPARTMENT OF
COMMISSION ON THE
FILED
OCT 17 1980

Attn 7437

COOWEESCOOWEE

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 1 1900.

Name Natova D 1,

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year 1896	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Cherokee Nation, I. T.,

DISTRICT.

I

a citizen of the Cherokee Nation, do

to the authority given in the

Laws and the customs and usages of the

Cherokee Nation

IS

The Indian Chieftain, Vinita, Indian Territory

Cherokee Nation, I. T.,

DISTRICT.

I [illegible] P[illegible]

a[illegible]

hereby [illegible] from the [illegible] day of

[illegible]

I found [illegible] M[illegible] M[illegible]

[illegible]

[illegible] Citizen[illegible]

citizen of the Cherokee Nat[illegible]

to the authority given [illegible]

Laws and the customs [illegible]

Cherokee Nation.

[illegible]

day of [illegible] D.,

18[illegible]

[illegible]

MARRIAGE LICENSE.

CHEROKEE NATION, I. T.

Cadewallader

To Any Person Legally Authorized to Solemnize Marriage, Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony, and to celebrate the rites and ceremonies of Marriage, between Mr. M. McCauley a citizen of the United States, and Miss [redacted] Miller a citizen of the Cherokee Nation, according to the usual custom and laws of the Cherokee Nation, and you are required to return this License to me, to record, within thirty days from the celebration of such Marriage with a Certificate of the same appended thereto and signed by you.

Given under my hand and Seal of Office this the 18th day of August A. D. 1891

E. Ross

Clerk Cooweescoowee District.

Opinion for

20

IN RE

Application for Enrollment of

INFANT CHILD

Ruth Jane Keams

as a citizen of the

Cherokee Nation.

Approved, MAR 1 - 1901 1901

C. R. Breckinridge

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 2 1901

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Rutha Jane Kearns (Here insert name of child), born on the 4" day of December, 1899

Name of Father: Wesley E. Kearns, a citizen of the United States $$$$.

Name of Mother: Susan V. Kearns, a citizen of the Cherokee Nation.

Post office: Watova I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Susan V. Kearns, on oath state that I am 26" years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Wesley E. Kearns, who is a citizen, $$ $$$$$$$$$$$$, of the United States $$$$$; that a female (male or female) child was born to me on the 4" day of December 1899; that said child has been named Rutha Jane Kearns, and is now living.

Susan V. Kearns

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this 16" *day of* October 1900

Com. ex. II/4/1903

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Sarah E. Courts, Midwife, on oath state that I attended on Mrs. Susan V. Kearns wife of Wesley E. Kearns on the 4" day of December, 1899, that there was born to her on said date a female (male or female) child, that said child is now living and is said to have been named Rutha Jane Kearns

Sarah E. Courts her Mark

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this 16" *day of* October 1900

Com. ex. II/4/1903

R SUPPLEMENTAL: Mar. 133.

Department of the Interior,
Commission to the Five Civilized Tribes,
Chelsea, I.T., November 20, 1900

In the matter of the application of Susan V. Kearns for the enrollment of herself as a Cherokee citizen; being sworn ~~and~~ examined by Commissioner Rockefeller and examined by the Commission, she testified as follows, in supplemental:

Q What is your name? A Susan V. Kearns.
Q How old are you? A I am 26 years old.
Q What is your post-office address? A Watova.
Q You made application to the Commission on the 12th day of October for the enrollment of yourself and children did you?
A Yes sir.
Q The Commission refused to enroll you at that time for the reason that they could not identify you on any of the rolls in the possession of the Commission, is that a fact. A Yes sir.
Q You now desire to submit additional testimony by which you claim you can prove that your name appears upon the authenticated roll of 1880? A Yes sir.
Q Under what name were you enrolled in 1880? A Susan V. Miller
Q Where were you living at that time? A I was living down here near Claremore; my mother was.
Q Was your mother living at that time? A Yes sir.
Q What is the name of your mother? A Sullivan.
Q Was she a Cherokee by blood? A No sir.
Q What is the name of your father? A Andy J. Miller.
Q Was he a Cherokee by blood? A Yes sir.
Q Do you know whether or not your father was enrolled in 1880?
A Yes, he was enrolled; I never saw it done, but I know in reason he was.
Q You know in what district he was living at that time?
A Yes sir, Delaware District.
Q Is your father living? A Yes sir.
Q You know whether or not he has been enrolled? A Yes sir, he was enrolled at Vinita.
1880 roll for father, page 290 #1793 Andrew Miller Delaware District ~~Card~~ Card #2981.
1880 roll page 5 #40 Susan V. Miller Orphan roll Coo-wee-scoo-wee Dist native Cherokee 6 years old.
Q Has your father re-married since the death of your mother.
A My mother is not dead.
Q Is your father living with a woman now as his wife, that you know of? A Yes sir, he has got a wife now, but it isn't mama.
Q You know what her name is? A Her name is Martha Ann.
Q Do you know of your own knowledge whether your father was married to your mother A No sir
Q Is there anybody here by which you could prove that marriage.
A No, I don't suppose there is.
Q What was your mother's given name? A Martha Jane.
Q Did your mother separate from your father before 1880?
A Yes sir.
Q Do you know about when they separated? A No sir, I don't.
Where Q Is your mother living at the present time? A She is living near Alluwee
Q Is she here to-day? A Yes sir.

MARTHA J. REYNOLDS, being sworn and examined testified as follows:

Q What is your name? A Martha J. Reynolds.
Q How old are you? A 49.
Q What is your post-office address? A Alluwee.

Q You are acquainted with the applicant Susan V. Kearns? A Yes sir, she is my daughter.
Q Who is her father? A Andrew Miller.
Q When were you married to Andrew Miller? A We never was married at all, but he recognized her as his child, and she is on the '75 roll with him.
Q Did you ever live with him as his wife? A Yes sir.
Q How long? A Well I could't hardly tell you.
Q About how long? A I guess about three or four months. He enrolled her with himself in '75.
Q Did he always recognize her as his daughter? A Yes sir.

Examined by Caleb Starr, Cherokee Rep've:

Q Are you a Cherokee by blood? A Yes sir.
Q Did Andrew J. Miller have a living wife at the time you lived with him? A No sir, he married after this girl was about five or six months old I guess; I wont say for certain, but she was a great big baby; he married this woman he lives with now. And this girl is on the '75 roll with his wife and him, and he drew her money. Since then I have always enrolled her myself until she was grown.

J.E. CAMPBELL, being sworn and examined testified:

Q What is your name? A J. E. Campbell.
Q How old are you? A 53
Q What is your post-office address? A Alluwee.
Q Are you acquainted with the applicant here, Susan V. Kearns? A I am.
Q How long have you known here? A 20 years or more.
Q Do you know who her father was? Or who he was reputed to be? A Andrew Miller of Delaware District
Q Did you know the mother of this child? A Yes sir.
Q How long have you known her? A For 25 years.
Q Do you know whether or not Andrew J. Miller recognized Mrs. Kearns here as his daughter? A Yes sir, he has told me more than once that she was his daughter.
Q Did he state who the mother of the child was? A Yes sir, said that this woman was. (Pointing to Mrs.Reynolds)

By Caleb Starr, Cherokee Rep've:

Q This woman is not a Cherokee by blood? A No sir, not Cherokee she is, a white woman.
Q She was never married to Andrew J. Miller? A I think not.

Examined by Attorney C.B.Lawson:

Q Do you know whether or not this applicant ever drew any Cherokee money? A She has drawn all the Cherokee moneys since 1875.
Q How do you know? A I drew the most of it myself, being a neighbor, there being no parents; I think her mother being a non-citizen wasn't allowed to draw and I was asked by them to draw it and I drew the money and turned it over to them as a rule.
Q Do you know whether or not her name appears upon the Cherokee rolls? A Yes sir, her name appears on all the Cherokee rolls. Her name appears upon the 1880 roll because I drew her money in 1880, although there may have been a lapse payment before or since then and I didn't draw her money but I know that I drew that 1880 payment,- remember the circumstances, and I remember also of drawing her money since at different ~~times~~ times.
Q Do you know whether or not she was at all times recognized as a Cherokee citizen? I know that she was.

By the Commission:

Q Where was she living in 1880, A She was living with her mother
Q This woman here? A Yes sir.(Refferring to Mrs Reynolds)
Q Do you know of your own personal knowledge that the Susan V. Wil-

Mr w o is mentioned on the orphan roll of 1880 is the identical person? A I do not, but I know that there was some trouble about finding her name, and that it was looked up and she was found upon the Cherokee roll; I don't remember about it being on the Orphan roll
Q Have you any reason to believe that she is not the Susan V. Miller whose name is found upon that roll? A I have not.
Q Did she draw Strip money in 1894? A Yes sir, for some reason or other she was not found on the roll and was admitted by Council the reason I know,- her father acknowledged her as his child, I was at Tahlequah and assisted in having her put on the roll, being a neighbor, and he told me at that time, and appeared before the Committee at that time and stated that she was his child.
Q She was paid the money subsequent to the regular payment in 1894, by a special act of the Council was she? A Yes sir.

By Attorney E.B.Lawson:
Q Mr. Campbell do you know whether there was a special act or not?
A I do not.

By the Commission:
Q Mr. Campbell, do you know whether or not she was enrolled in 1896? A It is my impression that she was.
Query by witness. What money was paid out in 1896.
On being informed that no money was paid in 1896, he answers:
A Well I don't know about that.
Q Did she draw money in 1891? A She drew the small Cherokee payments.
Q Do you know in what year those payments were made?
A No sir, I don't know.

APPLICANT RECALLED, examined by the Commission:
Q Do you know who enrolled you in 1880? A My mother says she did, I was too young to remember, my mother and step-father enrolled me.
Q What is your step-father's name? A George Sullivan.
Q Is he living? A No sir.

By E.B.Lawson, Applicant's Atty:
Mrs. Reynolds, applicant's mother, re-called:
Q Mrs. Reynolds do you know who enrolled this applicant Susan V. Kearns in 1880? A Yes sir, I did myself.
Q I will ask you under what name you enrolled her? A I enrolled her as Susan V. Miller.
Q How old was she at that time? A 6 years old.
Q Do you know whether or not she was living at the time of 1880?
A Yes sir. lived 12 miles below Clarksville.
Q With whom? A George Sullivan.
Q With you? A Yes sir, she lived with me.
Q Was she in your care and custody at that time? A Yes sir, and always has been until she was married.
Q Do you know whether or not she has drawn Cherokee money since 1880? A Yes sir.
Q Do you know whether or not she has been recognized at all times as a Cherokee since 1880? A Yes sir, she has been recognized at all times.
Q Is this applicant Susan V. Kearns the same applicant you enrolled in 1880? A Yes sir.
Q Under the name of Susan V. Miller? A Yes sir.
Q Do you know whose child Susan V. Kearns, the applicant here, is?
A Yes sir.
Q Whose? A She is mine and Andrew Miller's.
Q Do you know whether or not Andrew Miller is a citizen of the Cherokee Nation? A Yes sir.
Q And recognized as such? A Yes sir.

Examined by Caleb Starr, Cherokee Rep've:
Q Did Susan V. Kearns ever attend the Orphan Asylum? A No sir
Q She was not living there in 1880? A No sir. She was living at my house.
And she was put down with the Sullivan family, and she is on the 1880 roll with the Sullivan family.
By the Commission:
Q How does it happen if she was living with you at that time the roll of 1880 was made she was enrolled asan orphan? A I don't know how it was, it was done by whoever took her name down, because I enrolled her at home and drawed her money, and she drawed money every payment since 1875, and also her name appears upon the old 1880 roll just below the Sullivan faily of children.
Q Was your former husband Sullivan a Cherokee by blood? A No sir, he was an adopted citizen; his first wife was a Cherokee by blood and she died and him and me was married.
Q Does the name of his first wife appear upon the roll of1880?
A No sir, she was dead then.
Q Are any of Sullivan's children by his first wife on the roll of 1880? A Yes sir.
Q Give me the names of one or two of them? A Those at home were Willis and Will and Jeff and George Lee.
Q Are these children on the 1880 roll? A Yes sir.

By Caleb Starr, Cherokee Rep've:
Q Who were the census takers that took her name? A It was L. Wright and Dick Duck. Q L. Wright was the census taker that you gave the name to? A Yes sir I am pretty certain that Dick Duck was the other one.

J.E.CAMPBELL RECALLED, and examined by Atty E.B.Lawson:
Q Do you know why this applicant, Susan V. Kearns was enrolled in 1880 by herself, appears on the roll by herself? A Well I remember that she was enrolled by herself and my impression was it was because her father had no status as a Cherokee citizen and that she was not living with her father; that was my understanding at the time.
Q Then you know of your own knowledge that she was enrolled by herself? A Yes, she was enrolled by herself.
Q And that her name appeared on the 1880 roll under some heading?
A Yes sir.
But whether it appeared as an orphan or ~~xxx~~ on other rolls you don't know? A I don't know. But I know that her name appeared as Miller.
Q As what Will M? A Well I think I had known her all the time as Susie Miller.
Q Susie V. Miller? A I couldn't say about that V. especially.

Examined by Caleb Starr, Cherokee Rep've
Q Do you swear positively that Susan V. Miller was enrolled in 1880? My recollection ~~is~~ was that it was in 1880.
I might possibly be mistaken about the dates; I might give you some evidence that would assist me in the matter: My recollection is that Major Lipe made the payment at Oowalah; if that was Oowalah then that was 1880.
Caleb Starr. That is 1883 you are thinking about.
In your testimony when you speak of Susan V. Miller being enrolled, ~~xxx~~ you have reference to the enrollment for the 1883 payment or the payment about that time? A If that is the case I was under the impression when I was giving my evidence that it was the last payment, and since questions have arisin in my mind about it I thought possibly I was mistaken, and I do remember it was at the Oowalah payment; it was at the Oowalah payment that her name was found on that roll, and Major Lipe made it.
Q You found her name then upon that pay roll? A Yes sir, as Miller.
Q Do you know what time that was? A No I don't remember.

Q Then you don't know positively whether you saw her name upon the roll in 1880 or not? A Well, I thought it was, but I may have been mistaken; I know that it was that payment roll that I refer to.
Q What was that payment of 1883? A My recollection is it was the Strip Payment proceeds of the rental.
Q Paid to all citizens alike, whites and Cherokees? A Yes sir, I participated.

By Attorney Lawson:
Q What proceedings if any, and in what year, Mr. Campbell, did the this matter to get this applicant's 1894 money take place, and where did these proceedings take place? A Why at Tahlequah.
Q In what year, if your remember? A It was after the 1894 payment; and it was possibly in the fall of 1894, or possibly a year after that, I couldn't say.
Applicant: It was in the fall.
Witness, Campbell, examined by Caleb Starr, Cherokee Reporter:
Q Mr. Campbell do you know what representations were made to the Council to get this? A Why her father,- at least the man she claims as her father, went before the agent and stated that she was his child.
Q Just filed a claim and it was allowed? A And her name, my recollection is, was looked up as having participated in payments before that time.
By Atty E.B.Lawson.
Q Do you know whether or not her father is a xxx recognized citizen? A He is.

W.D.Crump, being first duly sworn states that as stenographer to the commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 21st day of November 1900.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 21 1900

ACTING CHAIRMAN.

B. W. Allsby

POOR ORIGINAL -
BEST AVAILABLE COPY

Meaas 753 014 A.E.H

20

IN RE

Application for Enrollment of

INFANT CHILD

Bertha M. Cauley

as a citizen of the

Cherokee Nation.

Approved MAR 1 - 1901 190

C. A. Bruce

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 2 1901

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Bertha Mc Cauley (Here insert name of child), born on the 3" day of April, 1895

Name of Father: William C. Mc Cauley, a citizen of the Cherokee Nation.

Name of Mother: Susan V. [redacted], a citizen of the Cherokee Nation.

Post-office, Watova I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Susan V. [redacted], on oath state that I am 26" years of age and a citizen, by blood, of the Cherokee Nation; that I was the lawful wife of William C. Mc Cauley, who was a citizen, by adoption, of the Cherokee Nation; that a female (male or female) child was born to me on the 3" day of April, 1895; that said child has been named Bertha Mc Cauley, and is now living.

Susan V. [redacted]

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this 16" day of October, 1900

[illegible]
NOTARY PUBLIC.

Com. ex. 11/4/1903

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Jane Smart, a Midwife, on oath state that I attended on Mrs. Susan V. [redacted] then wife of William C. Mc Cauley, on the 3" day of April, 1895; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Bertha Mc Cauley

Jane Smart

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this [illegible] day of [illegible] 1900.

[illegible]
NOTARY PUBLIC.

Com. ex. [illegible] 1900

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

roll of 1904; [illegible] applicant's

father; [illegible] or

judgment to a [illegible]

O

20

IN RE

Application for Enrollment of

INFANT CHILD

Eva A. Reynolds

as a citizen of

Cherokee Nation.

Approved MAR 6 1902 190

T. R. Brockinridge.

Commissioner.

BIRTH AFFIDAVIT 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application of [illegible] a citizen of the Cherokee Nation,

of Eva A. Reynolds born on the 28" day of January, 1891

Name of Father Marsh Reynolds a citizen of the United States ~~Nation~~

Name of Mother Susan V. Kearns a citizen of the Cherokee Nation.

Post Office Watova, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District

I, Susan V. Kearns, on oath state that I am 27" years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of W. E. Kearns, who is a citizen, by [illegible], of the United States Nation; that a female child was born to me on 28" day of January, 1891; that said child ~~was~~ was born named Eva A. Reynolds and is now living, that said child was born before my marriage to W. E. Kearns, and that its Fathers name is Marsh Reynolds

Susan V Kearns

WITNESSES TO MARK

(Must Be Two Witnesses)

Subscribed and sworn to before me this 4th day of March 1902

John E. Gridley
NOTARY PUBLIC.

My commission expires _____ 190__

DEC. 17, 1904.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District

I, Jane Reynolds midwife, on oath state that I attended on Mrs Susan V. Kearns, now the wife of W. E. Kearns on the 28" day of January, 1891 that there was born to her on said date a female child now living and is said to have been named Eva A. Reynolds, and at the time of birth of said child Mrs Kearns stated to me that the Father of the child was Marsh Reynolds, and Marsh Reynolds has stated to me that she was his Daughter

Jane Reynolds

WITNESSES TO MARK

(Must Be Two Witnesses)

Subscribed and sworn to before me this 7" day of March 1902

Ewe E. Smith
NOTARY PUBLIC.

My com. ex. 11 4 03

"R"

Cherokee D 1204

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 5,1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Susan V. Kearns for the enrollment of herself and children, as Cherokee citizens.

Appearances:
E.B.Lawson, Nowata, I.T., attorney for the applicants;
W.W.Hastings, attorney for the Cherokee Nation.

BY COMMISSION: The applicant and her attorney were notified by registered letter February 14,1902, that the applicant's application for the enrollment of herself and children as Cherokee citizens woul d be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 5th day of March,1902; receipt has been acknowledged of the Commission's letter, both by the applicant and by her attorney, and the applicant this day to-wit: 5th day of March,1902, appears by her attorney E.B.Lawson.
BY COMMISSION OF MR. LAWSON: You desire to make any statement in this case?
MR. LAWSON: Yes sir, here is a birth certificate of her child I desire to have filed.

BY COMMISSION: There is offered in evidence by the attorney for the applicant a duly executed affidavit as to the birth of Eva A. Reynolds, the daughter of Susan V. Kearns and Marsh Reynolds; same will be filed and made a part of the record.
BY MR. LAWSON: I was required by the Commission also to supply the act of the Council of 1894, paying the money to Susan V. Kearns and her children; that I can and will supply to-dayor to-morrow. The clerk at Tahlequah has failed to supplyit to me, but I telephoned him and he said he would have it here to-day or tomorrow.
By Commission: Aside from that, do you submit the case?
A Yes sir.

BY COMMISSION: The attorney for the applicant files brief in the case, one copy with the Commission and one copy with the representativeof the Cherokee Nation. The attorney for the applicant on behalf of the applicant and the attorney for the Cherokee Nation on behalf of the Cherokee Nation submit the case and same is ordered closed and reported to the Commission for final decision, based upon the evidence now of record, in addition to the certified copy of the act of the National Council paying to the applicant her pro rata shareof the Cherokee Strip money.

I, W.D.Green do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

W.D. Green

Matter of Susan S. Kearney et al.
applicants for enrollment
as citizens of Cherokee
Nation.

Applicants' Brief

Before the Honorable Dawes Commission, at Muskogee, I. T.

In the matter of Susan V. Kearnes, et.al. applicant for enrollment as a Citizen of the Cherokee Nation.

APPLICANTS BRIEF.

Susan V. Kearnes states that she is the wife of Wesley E. Kearnes; that prior to her marriage to Wesley E. Kearnes she was the wife of W. C. McCauley; and that her maiden name was Susie Miller.

Applicant states that her father is Andy J. Miller, whose name is found on the 1880 roll; that the name of her Mother was Martha J. Reynolds.

On the 1880 roll page 5 number 40 the name of Susan V. Miller, Orphan roll, Cooweecoowee District, native Cherokee, 6 years old, is found.

And the applicants Mother and J. E. Campell testified that applicant is on the 1880 roll and has always been recognized as a Cherokee and has drawn money with the Cherokees.

No other Citizen of the Cherokee Nation has been found that answers to the name of Susan V. Miller, as shown on the Orphan roll of Cooweecoowee District.

Susan V. Kearnes the applicant testifies that she is 26 years of age or rather that she was 26 years of age in 1900, and this would make applicant just 6 years old when the 1880 roll was made.

We contend that the name of Susan V. Miller on the 1880 roll is the name of the applicant herein and that she is the identical person so enrolled on the said 1880 roll.

We do not know whether applicants Father and Mother were ever married but applicant has at all times been recognized by her father Andy J. Miller, as his Child, as will be shown by letter attached to evidence, and we suppose that the name of Susan V. Miller is on the Orphan roll by mistake.

We contend that applicant and her children are entitled to enrollment as Cherokee Citizens, for the reason that applicant is on the 1880 roll and has always been recognized as a Cherokee Citizen.

Attorney for applicant.

IN RE

Application for Enrollment of

INFANT CHILD

[illegible] Carr

as a citizen of the

[illegible] Nation.

Approved [illegible] 190[illegible]

Commissioner.

Leader Printing Company

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: *Application for Enrollment*, as a citizen of the Cherokee Nation,

of [illegible] (there insert name of child), born on the 5 day of [illegible], 1902

Name of Father [illegible], a citizen of the Cherokee Nation.

Name of Mother [illegible], a citizen of the Cherokee Nation

Postoffice [illegible]

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern Nation.

I, Mrs. [illegible], on oath state that I am [illegible] years of age and a citizen, by [illegible], of the Cherokee Nation; that I am the lawful wife of [illegible], who is a citizen, by [illegible], of the Cherokee Nation; that a [illegible] (male or female) child was born to me on the [illegible] day of [illegible]; that said child has been named [illegible], and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses) [illegible]

Subscribed and sworn to before me this 1 day of June 1902

[illegible]
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, [illegible], on oath state that I attended on Mrs. [illegible], wife of [illegible], on the [illegible] day of [illegible], 1902; that there was born to her on said date a [illegible] (male or female) child; that said child is now living and is said to have been named [illegible].

WITNESSES TO MARK:

(Must be Two Witnesses) [illegible]

Subscribed and sworn to before me this [illegible] day of June 1902

[illegible]
NOTARY PUBLIC.

EXECUTIVE DEPARTMENT

CHEROKEE NATION.
TAHLEQUAH, INDIAN TERRITORY.

I, B.W. Alberty, assistant Executive secretary of the Cherokee Nation do hereby certify that the name :

"Susan Victoria McCauley is number 68 in a list of persons, included in an act of the National, duly approved December 5th 1894, the act preceding names of person to whom money is appropriated, reads as follows: Be it enacted by the National Council: That there be and is hereby appropriated-out of the Strip Funds- to pay each of the following named persons ~~[illegible]~~ ($265.70) as their prorata share of said Funds; and the Chief is is hereby authorized to issue warrants for the same.

Here follows names of parties to whom money is appropriated, and number 39 is the name Susan Victoria McCauley aged 21, a female;

That said act is recorded in the Record of Laws made and kept in this office and is in my legal custody.

Given under my hand and the seal of the Cherokee Nation this the 4th day of March 1902.

B. W. Alberty
Assistant Executive secretary,
Cherokee Nation.

Cherokee D 1204.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Susan V. Kearns, Eva A. Reynolds, Bertha McCauley, Rutha J. and Pearlie Kearns as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 17,1900, Susan V. Kearns appeared before the Commission at Nowata, Indian Territory, and made personal application for the enrollment of herself and her three minor children, Eva A. Reynolds, Bertha McCauley and Rutha J. Kearns, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Chelsea, Indian Territory, on November 20,1900, and at Muskogee, Indian Territory, on March 5,1902.

The evidence shows that the said Susan V. Kearns is a Cherokee by blood. She is identified on the 1880 authenticated tribal roll of the Cherokee Nation under the name of Susan V. Miller.

The three minor children, Eva A. Reynolds, Bertha McCauley and Rutha J. Kearns are identified by birth affidavits on file with this Commission, and are shown to be the children of Susan V. Kearns. On June 12,1902, there was filed with the Commission an affidavit, executed by Susan V. Kearns, from which it appears that Pearlie Kearns was born May 3,1902; that she is the child of the said Susan V. Kearns, and that she was living at the date of the execution of the affidavit.

The said Susan V. Kearns resided in the Cherokee Nation all her life, and was a resident of said Nation at the date of the application herein. It is considered that the residence of the children herein applied for is that of their mother.

It is, therefore, the opinion of this Commission that Susan V. Kearns, Eva A. Reynolds, Bertha McCauley, Rutha J. Kearns and Pearlie Kearns should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress, approved June 28,1898 (30 Stats.,495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

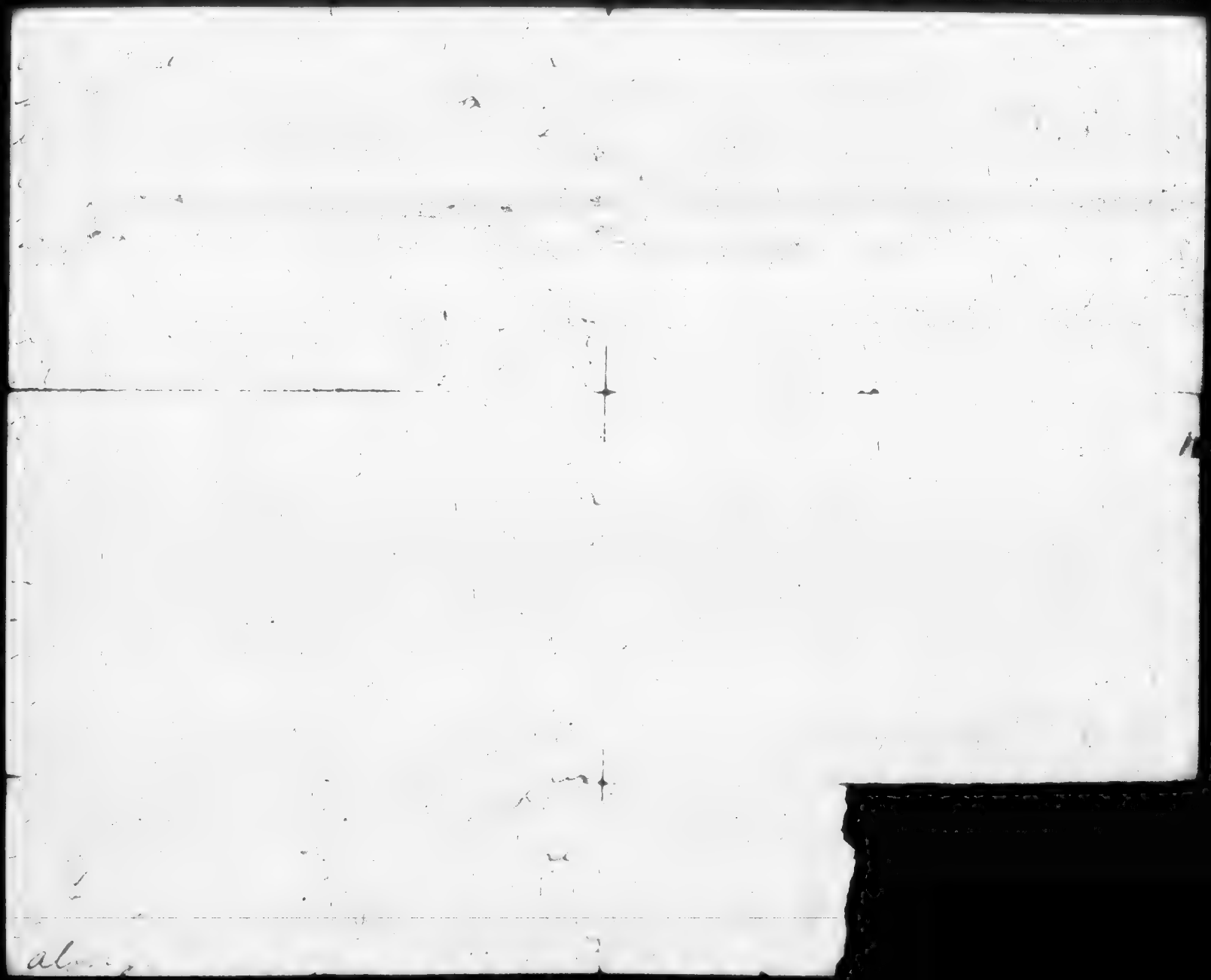
Commissioner.

Commissioner.

Muskogee, Indian Territory,

this _____

DEPARTMENT ... E IN ...
COMMISSION ... OF ... CIVILIZED TRIBES.
FI ... D
NO ... 2... 0
... CHAIRMAN.



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 16 1901

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 11th, 1901.

Received of the Commission to the Five Civilized Tribes one copy of the Supplementary Testimony taken in the matter of the application for enrollment as a citizen of the Cherokee Nation of Susan V. Kearny.

Benjamin Martin

Memo. 1178.

COMMISSIONERS
HENRY L. DAWES
JAMES B. ABERT
THOMAS B. NEEDLES
C. R. BRECKINRIDGE
ALEXANDER ARTHUR ENSWORTH
PERRY A. ...

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 14, 1902.

Mrs. Susan V. Kearns,

Watova, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and three minor children

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the fifth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to W. P. Lawson,
Nowata, I.T.

Cherokee D-1204
Register.

Yours truly,

[redacted]
Commissioner in Charge.

COPY.

Cherokee D 1204.

Muskogee, Indian Territory, October 27, 1902.

E. B. Lawson,

Attorney for Susan V. Kearns,

Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Susan V. Kearns for the enrollment of herself and her four minor children, Eva A. Reynolds, Bertha McCauley Ruth J. Kearns and Pearlie Kearns as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 35.

Cherokee D 1204.

Muskogee, Indian Territory, October 28, 1902.

Susan V. Kearns,

Watova, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself and your four minor children, Eva A. Reynolds, Bertha McCauley, Rutha J. Kearns and Pearlie Kearns, as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 34.

Cherokee D 1204.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Susan V. Kearns for the enrollment of herself and her four minor children, Eva A. Reynolds, Bertha McCauley, Ruth J. and Pearlie Kearns, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 14.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 21 1906

1/21/1900

Record copy of
testimony of Adam
[illegible]
133

[illegible]

Cher 9838

Bud T. Kell

Trans from D 1226

Cher 9838

COMMISSION

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., September 18, 1901.

In the matter of the application of Bud T. Kell for enrollment as a Cherokee by blood.

Bud T. Kell, appearing before the Commission, and being duly sworn and examined, testified as follows:

Q What is your name? A Bud T. Kell.
Q How old are you? A About 44 years old, born August 5,'57.
Q What is your postoffice address? A Muskogee.
Q You live in the Creek Nation? A Yes, sir, I have been there as an officer off and on.
Q You apply for enrollment as a Cherokee by blood? A Cherokee by blood, yes, sir.
Q What degree of Cherokee blood do you claim? A 1/4.
Q You apply for anyone besides yourself? A No, sir.
Q Just yourself? A Yes, sir.
Q What is the name of your father? A John Talala Kell.
Q Was your father a Cherokee by blood? A Yes, sir.
Q Is he living or dead? A Dead; he left this country seven years ago, he had the consumption, and I have never heard of him since, we suppose he is dead.
Q What is the name of your mother? A Maggie Vickers, a white woman.
Q Is she living? A No, sir, she is dead, died when I was a child.
Q Were you born in the Cherokee Nation? A Yes, sir.
Q Have you always made it your home? A Yes, sir, only when I was sent out in an official capacity; well when I was a boy at one time, when I was about 14 years old, I went to Texas.
Q How long did you live ther ? A 3 years, I came back before I was of age.
Q You are at present an Indian Policeman in the service of the United States Government? A Yes, sir.
Q And as such you are making your home at Muskogee at the present time? A Yes, sir.
Q You have property in the Cherokee Nation? A Yes, sir.
Q Have you a home here? A I have in Canadian district, yes, sir.
Q That is in the Cherokee Nation? A Yes, sir.
Q Is your name on the roll of 1880? A No, sir, I was on the strip in 1880.
Q Is your name on the roll of 1896? A Yes, sir.
Q Were you ever readmitted to citizenship in the Cherokee Nation after you returned from the strip? A I don't know, Henry Lowrey was counceling and I got him to attend to it, but I was in the Government service at the time in the strip, I was serving as a policeman.
Q You didn't take an allotment on the strip, did you? A No, sir.
Q How long were you out there at that time? A I was out there I guess between two and three years.
Q Were you out there acting as an officer of the Government?
A Yes, sir, an an Indian Police.
Q You didn't go there for the purpose of making your home?
A No, sir.

The 1880 authenticated roll of Cherokee citizens examined and the applicant not identified thereon.

The 1896 census roll of Cherokee citizens examined and the applicant identified thereon, page 41, No. 1117, Canadian district.

The 1894 pay-roll examined, and the applicant identified thereon, page 55, No. 1188, Canadian district.

Q State briefly for what purpose you were sent to the Cherokee Strip? A I was sent out there to keep off the "boomers."
Q That was before the opening of the Strip? A Yes, sir.
Q How long did you remain there? A I remained there in the

neighborhood of between two or three years.
Q And during those two or three years you were always in the service of the Government as an officer? A Yes, sir, as a United States Indian Police.

Commission: Bud T. Kell applies for the enrollment of himself as a Cherokee by blood. He is identified upon the census roll of 1896 and the strip payment roll of 1894. He is not identified upon the authenticated roll of 1880, but states that he has lived in the Cherokee Nation all his life, having been born and raised here. He states that the reason his name does not appear upon the roll of 1880 is because that at that time he was sent to what was known as the Cherokee Strip as an officer of the United States, for the purpose of protecting the interests of the Cherokee Nation. For the present his name will be placed upon a doubtful card and when the final decision of the Commission is rendered, he will be duly notified in writing at his present postoffice address. He will be listed for enrollment as a Cherokee by blood.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 18th of September, 1901.

W M D Green
Notary Public.

A 11 26

Com... ...3

Sep 18 ...

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 18 1901

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

44

Date Sept. 17th 1900.

1 Name Bud T. Hall Muskogee

District Canadian Year 1896 Page 41 No. 1117

Citizen by blood Mus + Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Stan. B & Jones

1 on 1896 Roll P 55 No 1188 Canadian Dist

Rec'd 10/23/01

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 23 1901

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYERSWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

[illegible]

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of [illegible] for enrollment as citizens of the Cherokee Nation.

[illegible]

(Atty No. [illegible])

([illegible])

R.

C. D-1226.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 22, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Pud T. Kell for the enrollment of himself as a citizen of the Cherokee Nation.

Appearances:
E. C. Wisdom, attorney for applicant.
W. W. Hastings, attorney for Cherokee Nation.

[illegible] his application [illegible] Cherokee Nation [illegible] the Commission at its office [illegible] of March, 1902. Receipt [illegible] letter, and the applicant [illegible] 1902, appears by his attorney, [illegible] Wisdom.

The attorney for the applicant and the representative of the Cherokee Nation present submit the case, same is declared completed and will be reported to the Commission for final decision based upon the evidence now of record.

I, W. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

"B"

Cherokee D-1226

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., January 17,1902.

SUPPLEMENTAL TESTIMONY, in the matter of the application of Bud T. Kell for enrollment as a Cherokee citizen.

Appearances:
Applicant in person, and by Attorneys Dew M. Wisdom and I.P.Bledsoe.
J.L.Baugh, of attorneys for the Cherokee Nation.

EMILY BENNETT, being sworn and examined testified as follows:

BY COMMISSION:
Q What is your name? A Emily Bennett.
Q How old are you A About 62.
Q What is your post-office address? A Muskogee.
BY DEW M. WISDOM:
Q Were you acquainted with a Cherokee Indian named John Talala Kell? A Yes sir.
Q What relation are you to him?A He is my brother, older than me.
Q Is he older than you? A Yes sir, he is older than me.
Q What has become of John Talala Kell? A Well he taken the consumption and he went south for his health.
Q What time did he leave this country? A Well I am unable to tell you exactly, but it was a few years after the war.
Q Has he been gone over 20 years? A Yes sir; he has been gone a little bit, no, I don'tknow; I couldn't tell you.
Q He left directly after the war? A Well it was a few years, but I couldn't positively say.
Q You know Bud T. Kell? A Yes sir.
Q He is a son of John Talala Kell? A Yes sir.
Q You are a Cherokee Indian by blood? A Yes sir.
Q You are on the roll? A Yes sir.
Q Recognized as such? A Oh yes.
BY MR. BAUGH:
Q Do you know why the name of Bud T. Kell don't appear upon the roll of 1880? A I think he was out on business somewheres or another; I couldn't tell you where; I think he was policeman and sent off somewhere.
BY COMMISSION:
Q Have you known him continuously since his return from the Cherokee Strip, where he claims to have been in 1880? A Well he has been here all the while.
Q He has been living here continuously since that time?
A Yes sir.
Don't know no other place but here.

BUD T. KELL, being sworn and examined, testified as follows:

BY COMMISSION:
Q What is your name? A Bud T. Kell.
Q How old areyou? A I am 45.
Q What is your post-office address? A Muskogee, I. T.
Q You want to make some corrections in the statements that you gave to the Commission when you applied at Fort Gibson? A Yes sir.
Q State briefly what it is? A I understand there was a mistake made that it was seven years since my father left here; what I said at the time was several years.
Q About how long has it been? A I could not exactly tell; it was before the roll of 1880 was made; I was a mere child when he left here.

BY MR. BLEDSOE:

Q Why is it that your name is not on the roll of 1880? A I was out on the Strip, a police.

Q Acting in the capacity of a policeman? A Yes sir.

DEW M. WISDOM, being sworn and examined, testified as follows:

BY COMMISSION:

Q Whatis your name? A Dew M. Wisdom.

Q Your age and post-office? A Muskogee. I. T.

Q How old are you, Colonel? A I might say I don't know;- well I will be 66 years old the 3rd day of next month.

BY MR. BLEDSOE:

Q You know Bud T. Kell? A Yes sir.

Q How long have you known him?A I have known him about 18 or 20 years.

Q You were Indian Agent at one time, in this agency, were you not? A Yes sir.

Q Do you know whether Bud T. Kell was acting in the capacity of Indian Policeman or not in 1880? A He was policeman under me all the time that I was Indian Agent, and he was a policeman when I came here first to work in the Indian service in 1885.

Q Was it the duty of these Indian officers, policemen, to go wherever he was required by the Agent? A Oh yes sir, they were subject to the orders of the agency, and they went wherever we ordered them to go; further I will state, that an Indian Policeman or policeman of the agency had to be an Indian by blood; we could not appoint a white man an Indian Policeman. The office was created for the Indians.

BY COMMISSION:

Q Were you the agent when the Strip was opened? A Yes sir.

Q Was Mr. Kell one of your policemen at that time? A Yes sir.

Q And as such official he was ordered to the Strip was he, or do you remember that? A Well I don't know, think that I ever ordered him Kell to the Strip himself; perhaps I did once or twice; my understanding is that he was sent to the Strip before; the records of the agency now destroyed all showed that.

Q Do you know of your own knowledge that he was on the Strip about 21 years ago, when that roll was made? A Yes sir, the records of the office showed that he was there putting the cattle boomers out.

Q Any other statement you desire to make as regards this applicant Colonel? A I have no question, no doubt but what he is an Indian.

BY MR. BLEDSOE:

Q You don't know, in handling those records that are now destroyed, whether the name of Bud T. Kell appeared upon there as an Indian Policeman or not when the roll of 1880 was made? A I am satisfied that it did; he was appointed by Colonel Tufts I think, he was agent preceding me.

M.J. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.J. Green

Subscribed and sworn to before me this January 25, 1902.

Commissioner.

R.

C. D-1226.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 22, 1902.

SUPPLEMENTAL PROCEEDINGS in the matter of the application of Bud T. Kell for the enrollment of himself as a citizen of the Cherokee Nation.

Appearances:
E. M. Wisdom, attorney for applicant.
W. W. Hastings, attorney for Cherokee Nation.

The applicant was notified by registered letter March 3, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, I. T., on the 22nd day of March, 1902. Receipt has been acknowledged of the Commission's letter, and the applicant this day to-wit: the 22nd day of March, 1902, appears by his attorney, E. M. Wisdom.

The attorney for the applicant and the representative of the Cherokee Nation present submit the case, same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

I, Wm. Hutchinson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Cherokee D 1226

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Bud T. Kell for enrollment as a citizen by blood of the Cherokee Nation:

D E C I S I O N .

The record in this case shows that on September 18, 1901, Bud T. Kell appeared before the Commission at Fort Gibson, Indian Territory, and made personal application for his enrollment as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, January 17, 1902; also further proceedings in the matter of said application were had at Muskogee, Indian Territory, on March 22, 1902.

The evidence shows that the said Bud T. Kell was born in the Cherokee Nation August 5, 1857; that he is the son of John Talala Kell, a native Cherokee, and his wife, Maggie Kell, a white woman; that he has always resided in the Cherokee Nation with the exception of three years which he spent in Texas before he became of age and also while absent from said nation at different times when in the government's employ as Indian police; that he was serving in such capacity in the strip during the year 1880 and at Muskogee at the date of this application. He is duly identified upon the 1896 census roll of the Cherokee Nation as a native Cherokee and also upon the strip payment roll of 1894.

It is, therefore, the opinion of this Commission that Bud T. Kell should be enrolled as a citizen by blood of the Cherokee Nation in accordance with the provisions of Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this_____

COMMISSIONERS
HENRY L. DAWES
JAMES BIXBY
THOMAS B. NEEDLES
C. R. PEACOCK
ALFRED M. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN REPLY REFER TO THE FOLLOWING
Cherokee I-1,026

Muskogee, Indian Territory. March 3, 1902.

Mr. Ewt T. Kell,

Muskogee, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 22, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment; but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Register.

Acting Chairman
Commissioner in Charge.

Copy to I. T. Pledger,
Choouteau, I. T.

Cherokee D 1226.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Bud T. Kell for the enrollment of himself as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 16.

Cherokee D 1226.

Muskogee, Indian Territory, October 27, 1902.

D. Y. Wisdom,

Attorney for Bud T. Kell,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting the application of Bud T. Kell for the enrollment of himself as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure M. No. 33.

Cherokee D 1226.

Muskogee, Indian Territory, October 27, 1902.

Bud T. Kell,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure W. No. 32.

Cher 9839

Sallie F. Foreman

Trans. from D1233

Cher 9839

D1233

Cherokees by blood.

DOUBTFUL as to children, SallieFand Thomas E.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I.T., Sept. 26, 1901.

In the matter of the application of Samuel Foreman for the enrollment of himself and 2 children as Cherokee citizens by blood; being sworn and examined by Commissioner Needles, he testified as follows:

Q What is your name? A Samuel Foreman.
Q How old are you? A I am 32 years old.
Q What is your post-office? A Texanna.
Q What district do you live in? A Canadian District.
Q You apply to be enrolled as a Cherokee by blood? A Yes sir.
Q You want to enroll anybody but yourself? A I want to enroll my family.
Q Your wife? A No, my wife is a white woman; we have been lawfully married; we was married about '98.
Q What is the names of yourchildren? A Sallie Frances, is the oldest.
Q How old is she? A She was born, we have been living together, since the spring of '94; wasn't lawfully married until '98, July '98.
Q Is her name Sallie Frances Foreman? A Yes sir.
Q How old is she? A I believe she is 6 years old.
Q What is the name of your next child? A Thomas Edward.
Q How old is he? A 2 years old.
Q Is your name on the authenticated roll of 1880? A I guess so.
Q Whatis your father's name? A I don't know whathe enrolledhis name by his right name ornot, his name was Edward, he went by the name of Tyler Foreman.
Was he an Indian? A Yes sir.
Q What is yourmother's name? A Elizabeth.
Q She an Indian citizen? A Yes sir.
Q They both living? A No sir.
Q Theyboth dead? A Yes sir.
Q Your father and mother living in 1880? A My mother was dead, my father was living. But after the enrollment was made, I recollect the taking of the census at that time, they missed me in some way, I was living with my grandmother; my father didn't enroll me and she didn't; and I was enrolled afterwards.

1880 authenticated roll of citizens of the Cherokee Nation examined and applicant identified thereon as follows:
page 430 #631 Samuel Foreman, Goingsnake District. native Cher
1896 census roll of citizens of the Cherokee Nation examined and applicants identified thereon as follows:
page 749 #863 Samuel Foreman, Goingsnake District.
page 749 #864, Sallie F. Foreman, Goingsnake District.

Q Are these children living at this time? A Yes sir.
Q Have you always lived in the Cherokee nation yourself? A Yes sir.
Q All your life? A Yes sir.
Q Whatis your wife's name? A Dora Foreman.
Q Have you any certificate of marriage to her? A Yes sir, but she has it herself; she is at her mother's in the Choctaw Nationnow.
Q When were you married to her? A In July, '98, I think, I disremember exactly.
Q Married according to the laws of the United States? A Yes sir.
Q Did you live with her before you married her? A Yes sir.
Q How long? A We commenced living together in the spring of '94.
Q You lived with her continuously from the spring of '94 until now? A Yes sir, until I was sent to prison.
Q You were legally married in '98? A Yes sir.
Q Were you ever married before you arriedher? A Yes sir, she

my second woman.
Q Were you divorced from the first one? A No sir, she was dead.
Q When did she die? A She died in December '93.
Q That was before you commenced living with Dora? A Yes sir.
Q Was Dora ever married before? A Yes sir.
Q Her husband living? A Yes sir, he is living.
Q Is he living now? A Yes sir.
Q Was she ever divorced from him? A Yes sir, I think she was only divorced by his marriage.
Q Never had any legal divorce? A No sir, never had no legal divorce

BY MR. HASTINGS, Cherokee Representative:

Q How long has she been in the Choctaw Nation? A How long has she been there; she went there last fall, last winter, she stayed with my first mother-in-law down here; that's Mr. Riddle's wife, until last winter, and she went with her mother.

BY COM'R NEEDLES:

Q Are these children living? A Yes sir, they are living

BY MR. HASTINGS:

Q You said you were in Jail? A I was in prison.
Q Where? A Fort Leavenworth
Q When did you go? A I went last May a year ago; was sentenced the 9th of May.
Q '99? A Yes sir, 1900 I reckon, this is 1901
Q For larceny? A No sir, whiskey.

BY COM'R NEEDLES:

Q Couldn't drink up all the whiskey yourself, so concluded to sell some? A I drank a right smart of it.

Com'r Needles: Samuel Foreman applies for the enrollment of himself and 2 children, named Sallie F. and Thomas E. He is duly identified upon the authenticated roll of 1880 and the census roll of 1896, and makes satisfactory proof as to residence; he avers that he lived with his wife since the year 1894 and was legally married to her in July 1898, but presents no certificate of marriage; it will be necessary for him to do so. He avers that his wife, Dora, was married before he commenced living with her, and had separated from her husband, and that she had no legal divorce, He avers that the oldest child, Sallie, 6 years of age, was born before the legal marriage, but after he and his averred wife commenced living together, He avers that his younger child, Thomas E., was born since his legal marriage,- if there was a legal marriage,- and the child Sallie is duly identified upon the census roll of 1896; it will be necessary for the applicant to make satisfactory proof of birth of Thomas E., whose name does not appear upon the rolls Also proof of his marriage with Dora: Under the circumstances the 2 children, Sallie and Thomas E. will be listed for enrollment upon a doubtful card, awaiting further consideration of the Commission. The applicant himself will be listed for enrollment upon a straight card as a Cherokee citizen by blood.

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M.D.GREEN, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D. Green

Subscribed and sworn to before me this October 2nd, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
RECEIVED
SEP 26 1901

Statement of Applicant Taken Under Oath.

Canadian District

CHEROKEES BY BLOOD AND ADOPTION.

Date Sept 26 1906.

Texarkana, Ark.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Doubtful

Names of Children:

1 Dollie F. Foreman	Dist. Ds. Snake	Year 96	Page 749	No. 864	Age 6
2 Thomas E. "	Dist.	Year ~~96~~	Page ~~749~~	No. ~~864~~	Age 2
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Application by father. Stenographer, M. D. Irwin

Samuel Foreman

No 2 Birth Cert required

Proof of marriage required of parents

6 D.1233.

IN RE

Application for Enrollment of

INFANT CHILD

Thomas E [illegible]

as a citizen of

Cherokee Nation.

Approved January 25 1902

[signature]

Commissioner.

[illegible] COMMISSION [illegible] OF THE
[illegible] FILED [illegible] UNITED STATES.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In RE Application for Enrollment, as a citizen of the Cherokee Nation.

of Thomas E. Foreman, born on the 26th day of Apr, 1899.
Here insert name of child

Name of Father: Samuel Foreman, a citizen of the Cherokee Nation.

Name of Mother: Ora Foreman, a citizen of the U.S. Nation.

Post-office, Tahlequah I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, Ora Foreman, on oath state that I am 25 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Samuel Foreman, who is a citizen, by Blood, of the Cherokee Nation, that a Male (male or female) child was born to me on the 26th day of April, 1899; that said child has been named Thomas E Foreman, and is now living.

Ora Foreman

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 13th day of January 1902.

A D Allen

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, Fannie Wilson, a Midwife, on oath state that I attended on Mrs. Ora Foreman, wife of Samuel Foreman, on the 26th day of Apr, 1899; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Thomas E Foreman.

Fannie Wilson

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 13th day of January 1902.

A D Allen

NOTARY PUBLIC

Appl.-C.D.#101 .

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, [illegible].

[illegible]

1902, that [illegible] enrollment
et al., as citizens of the [illegible]
for final [illegible] Commission
Washington, [illegible] the 2d day
that he desires this [illegible]
in person or by a [illegible]
him to [illegible]
cation. [illegible] having [illegible]
March, last, been ordered and [illegible]
for or by attorney, the case [illegible]
rendered by the Commissioner [illegible]
evidence [illegible] record.

I, [illegible], do hereby [illegible] Commission to the Five Civilized [illegible] above proceedings and that the [illegible] transcrip of my stenographic notes thereof.

Supl.-C.D.#1233.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 22, 1902.

SUPPLEMENTAL in the matter of the enrollment of SALLIE F. FOREMAN, ET AL., as citizens of the Cherokee Nation:

Samuel Foreman was notified by registered letter March 3, 1902, that the application for enrollment of Sallie F. Foreman, et al., as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 22d day of March, 1902, and that he could on said date appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any further testimony affecting said application. The applicant having this day, to-wit: the 22d day of March, 1902, been called and failing to respond either in person or by attorney, the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the above proceedings and that the foregoing is a true and complete transcrip of my stenographic notes thereof.

CERTIFICATE OF RECORD.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

I, JAMES A. WINSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office this ____ day of ____, 18__, at ____ M., and duly recorded in Book ____, Miscellaneous Record, Page ____.

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this ____ day of ____, A. D. 18__.

____ Clerk.

By ____ Deputy.

CERTIFICATE OF RECORD.

United States of America,

INDIAN TERRITORY, } ss.

NORTHERN DISTRICT.

I, JAMES A. WINSTON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the day of 189 , at M., and duly recorded in Book , Marriage Record, Page .

WITNESS my hand and seal of said Court at Muscogee, in said Territory, this day of , A. D. 189 .

Clerk.

By Deputy

FILED
NOV 28 1898

MARRIAGE LICENSE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } SS.

No. 161

To Any Person Authorized by Law to Solemnize Marriage--Greeting:

YOU ARE HEREBY COMMANDED to Solemnize the Rite and publish the Banns of Matrimony between Mr. Samuel Foreman of Going Snake in the Indian Territory, aged 28 years, and Mrs. Dora Howling of Going Snake in the Indian Territory, aged 22 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Tahlequah, this 20th day of July A. D. 1898

James A. Williams,
Clerk of the U. S. Court.

By H. W. C. Shelton Deputy

CERTIFICATE OF MARRIAGE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } SS.

I, [illegible] DO HEREBY CERTIFY, that on the 28th day of July A. D. 1898, I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this [illegible] day of [illegible] A. D. 189[illegible].

My [illegible] as Clerk of the U. S. Court Indian Territory Northern District, Book 13 Page 204

[illegible]

[illegible]

Cherokee D 1233

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sallie F. Foreman and Thomas E. Foreman as citizens by blood of the Cherokee Nation:

D E C I S I O N .

The record in this case shows that on September 26, 1901, Samuel Foreman appeared before the Commission at Fort Gibson, Indian Territory, and made personal application for the enrollment of his minor children, Sallie F. Foreman and Thomas E. Foreman, as citizens by blood of the Cherokee Nation.

The evidence shows that the said Sallie F. Foreman and Thomas E. Foreman are the minor children of Samuel Foreman, who is identified upon the 1880 authenticated roll of the Cherokee Nation and the 1896 Census roll of said nation as a native Cherokee, and his wife, Dora Foreman, a white woman; that the said Samuel Foreman and Dora Foreman lived together from the year 1894 until July 28, 1898, on which date they were lawfully married; that since that time and up to and including the date of this application they have lived together as husband and wife; that Sallie F. Foreman was born before said marriage and Thomas E. Foreman was born after said marriage.

Section 692, of the Compiled Laws of the Cherokee Nation (1892), provides:

> "All marriages which are herein prohibited on account of consanguinity between the parties, or on account of either of them having a former husband or wife then living, shall be absolutely void in this nation, without any judgment of divorce or other legal proceeding; provided, that the issue from such unlawful marriage shall nevertheless be legitimate; provided, also, that when a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, or proven to be his, shall thereby be legitimate."

The evidence further shows that Sallie F. Foreman and Thomas E. Foreman were born and have always resided in the Cherokee Nation up to and including the date of this application; that the said Sallie F. Foreman is duly identified upon the 1896 Census roll of said Cherokee Nation and Thomas E. Foreman is duly identified by birth affidavits on file with the Commission.

Cherokee D 1233

It is, therefore, the opinion of this Commission that Sallie F. Foreman and Thomas E. Foreman should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this SEP 20 1902

COMMISSIONERS
HENRY L. DAWES
JAMES BIXBY
THOMAS B. NEEDLES
C. R. BRICKINRIDGE
ALLISON L. ASKESWORTH

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN REPLY TO THIS REFER TO

Cherokee D-1233

Muskogee, Indian Territory, March 3, 1902.

Mr. Samuel Foreman,

Texana, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and Thomas E. Foreman

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 22, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of marriage of the parents of these children.

Yours truly,

Register.

Acting Chairman.

Commissioner in Charge.

Cherokee D 1235

Muskogee, Ind. Ter., June 18, 1902.

Mr. Samuel Foreman,

Texanna, Ind. Ter.

Sir:

In the matter of your application for the enrollment of your children, Sallie F. Foreman and Thomas E. Foreman, as citizens by blood of the Cherokee Nation, you are advised that it is necessary, for the proper consideration of your case, that you furnish this Commission with a certificate of marriage to your wife, Dora, or that you submit additional testimony setting forth said marriage.

This testimony must be furnished on or before June 27, 1902.

Yours truly,

Commissioner in charge.

Register.

Cherokee D 1233.

Muskogee, Indian Territory, September 24, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

Enclosed herewith please find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 20, 1902, granting the application of Samuel Foreman for the enrollment of his two minor children, Sallie F. and Thomas E. Foreman, as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file with the Commission such protest as you desire to make against the decision rendered in this case. If you fail to file a protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. C. No. 17.

Cherokee D 1233.

Muskogee, Indian Territory, October 27, 1902.

Samuel Foreman,

Texanna, Indian Territory.

Dear Sir:

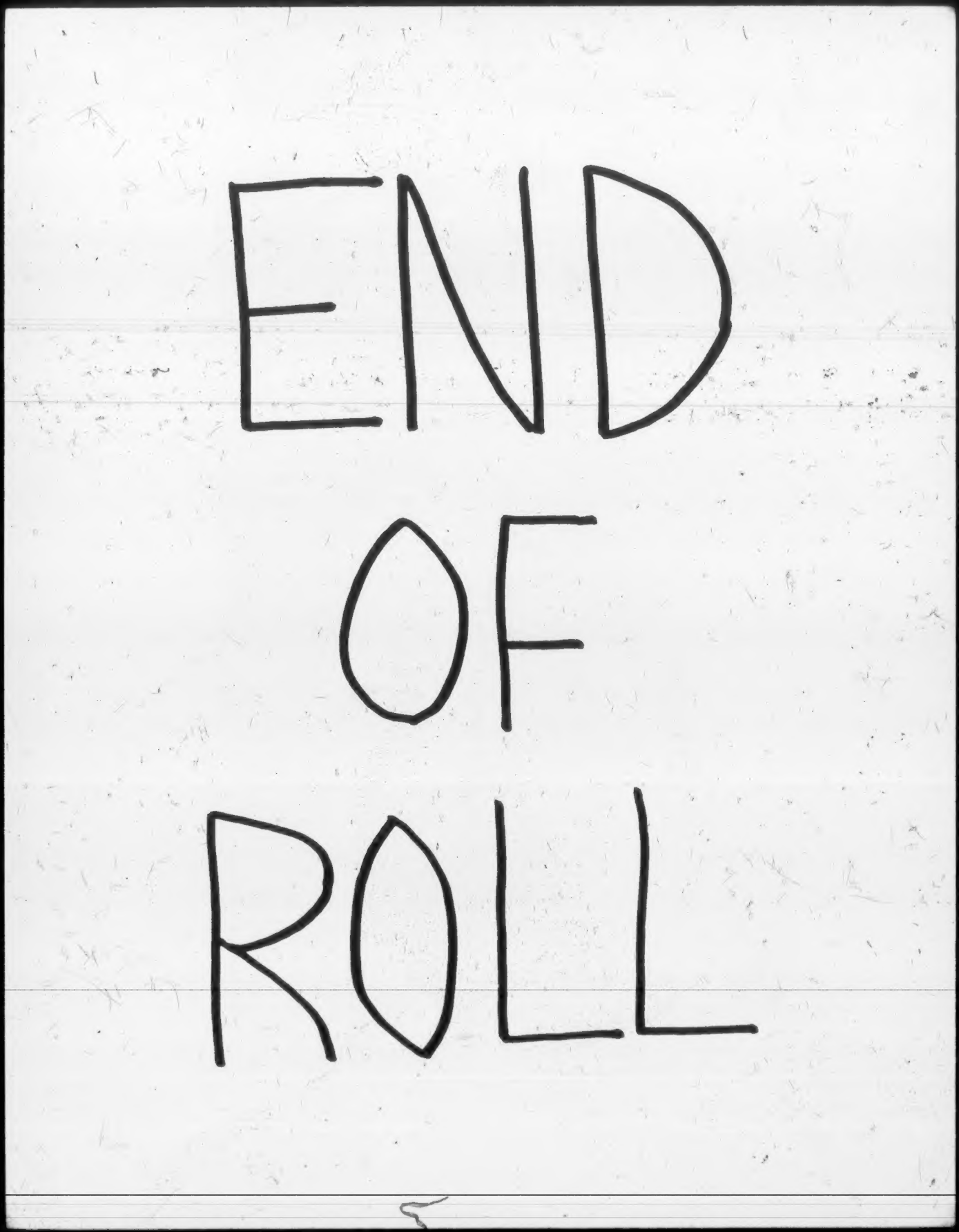
There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 20, 1902, granting your application for the enrollment of your two minor children, Sallie F. and Thomas E. Foreman, as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register.

Enclosure H. No. 31.


END
OF
ROLL